

0006

Outgoing
5/25/0025
K

From: Priscilla Burton
To: Black, Jon
CC: Howard, Ty; OGMCOAL
Date: 5/19/2009 3:07 PM
Subject: Alton Coal Development Coal Hollow Mine 0250025
Place: OGMCOAL
Attachments: 0142.pdf; 0014.pdf; 0015.pdf; 0029.pdf; 0037.pdf; 0047.pdf; 0052.pdf; 0054.pdf; 0055.pdf; 0061.pdf; 0070.pdf; 0071.pdf; 0072.pdf; 0077.pdf; 0078.pdf; 0080.pdf; 0081.pdf; 0082.pdf; 0083.pdf; 0084.pdf; 0090.pdf; 0093.pdf; 0095.pdf; 0113.pdf

Hello Mr. Black

In conjunction with the review of Alton Coal Development's Coal Hollow Mine application in Kane County, the Division of Oil Gas and Mining (DOGM) received many comments from the public regarding air quality degradation and visibility. To fulfill our responsibility to the public, are passing these comments along to you, so that you may take them into account during your review of the Notice of Intent for this site.

Twenty three written comments were received on this topic. They have been scanned and attached. Document 0070.pdf includes the air quality reports in Exhibit 2 of the document. Five additional verbal comments were received during the DOGM Informal Conference in June 2008 (see document 0142.pdf). The verbal comments were similar in tone and content to those received in writing.

The May 2007 NOI was included as an Appendix to the Coal Hollow Mine Application. During our review, DOGM staff noted that Item 14 of the NOI states that the open mining area shall not exceed limits established by the DOGM. Please note that DOGM limitations on pit size are related to backfilling and grading within six months of coal removal or 1,500 linear feet (R645-301-553). I understand that you are reviewing an April 2009 NOI, so this information may no longer be pertinent.

Priscilla Burton, CPSSc
Division Oil Gas & Mining
319 Carbonville Rd., Ste. C
Price UT 84501
(435) 613-3733

State of Utah office hours are Mon. through Thurs.,
7 a.m. to 6 p.m.

ORIGINAL

K

BEFORE THE DIVISION OF OIL, GAS AND MINING

DEPARTMENT OF NATURAL RESOURCES

STATE OF UTAH

IN THE MATTER OF THE PERMIT APPLICATION
FOR ALTON COAL DEVELOPMENT, L.L.C.'S
COAL HOLLOW MINE
C/025/0005 KANE COUNTY, UTAH

INFORMAL CONFERENCE

TAKEN AT: Alton City Town Hall
11 South 100 West
Alton, Utah

DATE: June 16, 2008

TIME: 6:00 p.m.

ATKINSON-BAKER, INC.
COURT REPORTERS
(800) 288-3376
www.depo.com

REPORTED BY: CAROLE YELTON, RPR, CSR

FILE NO.: A204B4B

A_P_P_E_A_R_A_N_C_E_S:

Division of Oil, Gas and Mining: - - -

John R. Baza, Director

Dana Dean, Associate Director - Mining

Daron Haddock, Permit Supervisor

Priscilla Burton, Environmental Scientist

David Darby, Environmental Scientist

Wayne Western, Environmental Scientist

Joe Helfrich, Environmental Scientist

Jim Smith, Environmental Scientist

Steven F. Alder, Assistant Attorney General

Kevin Bolander, Assistant Attorney General

Denise A. Dragoo, Esq.

SPEAKERS:

Barbara Allison

Carol Allison

Erik Baron

John R. Baza

Rick Blackwell

Bobbi Bryant

Claire Cleveland

Jerry Drummond

Richard Hartley

Ron Heaton

Claren Heaton

Jim Johnson

Brent Judd

Chris McCourt

Luella McMahan

Peter McMahan

Frank Nichols

Brian Nichols

Vince Salvato

Richard Swapp

Paul Thevenin

Becky Yard

P_R_O_C_E_E_D_I_N_G_S

DIRECTOR BAZA: Well, let me start by saying my name is John Baza; I'm the Director of the Division of Oil, Gas and Mining.

I'd like to thank you all for coming. And I'd also like to thank the -- the Mayor of Alton for allowing us to be in this building and use this room for this purpose tonight.

Let me mention that the Division of Oil, Gas and Mining is one of seven divisions within the Utah Department of Natural Resources.

And, along with our other sister agencies, we're responsible to ensure that activities in the State of Utah, at least related to mining, are complying with state law and regulations.

We're here today to conduct an informal conference in the matter of an application for a coal mine presented to the Division by Alton Coal Development, L.L.C.

And this is identified as Mine Application Number C/025/0005. I'd like to introduce, along with myself, members of the Division staff who are here with me today.

And I'll ask each one of them to stand and

1 just -- so that you can see who they are. First of all,
2 I'd like to introduce Dana Dean, who is our Associate
3 Director for Mining.

4 Then, we have Daron Haddock and Jim Smith, who
5 are managers within our coal regulatory program.

6 We also have staff members of the Division,
7 and one of those staff members will be giving a
8 presentation tonight. Her name is Priscilla Burton.

9 And other staff right here, who have technical
10 expertise in the review of the mine application, are
11 Wayne Western, Joe Helfrich and Dave Darby.

12 We also have assistants from our Attorney
13 General's office, and that would be Steve Alder and
14 Kevin Bolander.

15 As I've already mentioned, the Division has
16 received an application to conduct surface coal mining
17 operations located nearby to where we're having this
18 meeting tonight.

19 Following my remarks, a member of the Division
20 staff, Priscilla Burton, will briefly summarize the
21 proposed mining operations, but I'm going to introduce
22 the topic and tell you how we're -- we're going to
23 proceed through this -- this evening's meeting.

24 The Division is required to evaluate the
25 application to assure that it complies with the

1 requirements of the Utah Coal Mining Reclamation Act
2 and the associated regulations.

3 The Division's approval does not supersede the
4 authority of other agencies that also have authority
5 under state and federal law.

6 The Division's obligation is to ensure that
7 mining proceeds in an environmentally sound manner and
8 that reclamation occurs soon after mining, according to
9 the R645 Utah Coal Mining Rules.

10 This informal conference is being held to take
11 comment on the proposal to surface mine approximately
12 653 acres of privately owned coal and surface
13 approximately four miles southeast of the town of Alton.

14 To facilitate the mining of the fee coal --
15 and fee means privately owned -- public road 136 must be
16 temporarily relocated. Comments on the road relocation
17 are also encouraged at this time.

18 The Division's evaluation is a somewhat
19 lengthy process that involves a number of stages. And
20 let me explain those stages to you.

21 The first stage is to determine that the
22 application is administratively complete. The
23 application submitted -- or the applicant submitted an
24 initial application package on June 14th of last year,
25 in 2007.

1 And subsequently they supplemented that
2 information with additional information this past
3 January, on January 24th of 2008.

4 The Division made the determination that the
5 application was administratively complete and notified
6 the applicant of this determination on March 14th.

7 The second stage occurs after the Division
8 determines that there's an administratively complete
9 application.

10 Then, the applicant and the Division give
11 notice of the application to solicit comments, and this
12 is the stage that we're now in this evening.

13 Let me explain that in a little more detail.
14 Notice was published by the applicant, and the Division
15 sent notice to affected government agencies or entities
16 that we had determined that the application was
17 administratively complete.

18 A public notice appeared for the 635.64-acre
19 surface mine permit application in the Southern Utah
20 News from March 26th through April 16th. The Division
21 accepted public comment through May 16th, about 30 days
22 after that.

23 If requested within 30 days of the last
24 newspaper publication, the Division is required to hold
25 an informal conference as part of the comment

1 opportunity.

2 Three requests were received within the
3 30 days, and thus the Division is holding this informal
4 conference.

5 The Division mailed notice to government
6 entities and others and requested their comments by
7 May 22nd.

8 Those comments were received by that date, and
9 additional comments have also been received since the
10 two aforementioned deadlines that I just -- that I just
11 covered.

12 All written comments will be received and
13 considered by the Division as it proceeds with the
14 evaluation.

15 And I need to repeat that, that all written
16 comments will be received and considered by the
17 Division.

18 This informal conference was advertised the
19 first week in June, June 4th and 5th, in both the
20 Southern Utah News and the Garfield County newspaper.

21 In order to accomplish -- accommodate the
22 purposes of providing for full public participation in
23 the application review process, the Division will allow
24 an opportunity for all who wish to comment at this
25 informal conference an opportunity to do so.

1 Finally, in order to provide a full two weeks
2 of notice and to provide time for those who need
3 additional time to comment, the Division will extend the
4 time to file your written comments until this Friday,
5 June 20th. At that point, the comment period will
6 close.

7 The third stage of our process occurs
8 primarily after the informal conference is concluded.
9 And it involves the work of making a thorough evaluation
10 of the application for its technical adequacy, in other
11 words, to determine that the application and the
12 operator comply with all of the requirements of the act
13 to obtain a permit.

14 This requires a very thorough analysis of the
15 area to be mined, including the hydrology, the wildlife,
16 the vegetation, the archaeology, the land use and other
17 resource aspects of the area.

18 It also includes an evaluation of the proposed
19 mining operation and mining and reclamation plan to
20 assure that mining will be conducted in a way that will
21 protect the resources and assure that the area will be
22 returned to the approved post-mining land use.

23 The final -- fourth and final stage occurs
24 when the Division makes its decision on the application.
25 Notice will be sent to all persons who participated in

1 this informal conference, and any person who has an
2 interest that may be adversely affected may request a
3 hearing on the Division's final decision.

4 If there is a request, any person with an
5 interest that may be adversely affected has an
6 opportunity for a hearing before the Board of Oil, Gas
7 and Mining, who normally meet in Salt Lake City.

8 As part of the decision to approve a permit,
9 the Division must determine that the mine operator
10 complies with other laws and regulations that are
11 enforced by other federal, state and local government
12 bodies.

13 For example, the operator must comply with
14 Bureau of Land Management requirements for a right of
15 way. They must obtain air and water quality permits
16 from the Utah Department of Environmental Quality. And
17 they must obtain approval of Kane County to relocate any
18 roads and for other county level permit.

19 Approvals from other government entities may
20 also be required. Although these issues may arise due
21 to the possible approval of the mining application, the
22 Division is not responsible for enforcing these laws,
23 and approval must be granted by the appropriate
24 government agency.

25 Although you may wish to comment today on

1 these concerns, you should be aware that you will also
2 need to address your concerns to those agencies in
3 accordance with their procedures and opportunities for
4 public participation in those decisions.

5 Regarding the proposed relocation of the
6 public road, we wish to advise you of, at least, two
7 other agencies and approvals that will occur later.

8 First of all, we know that the BLM is
9 currently going through a scoping process, and they'll
10 be accepting public comment through June 22nd, and we
11 encourage you to participate in that process. And that
12 will probably be the BLM office out of Kanab.

13 Secondly, Kane County may need to make some
14 determinations of their own. They're in the process of
15 addressing an agreement with the applicant in this case
16 regarding the road relocation.

17 As part of the public process, if a public
18 road is to be re- -- relocated, then the Division is
19 required to provide an opportunity for public hearing on
20 that proposed relocation, the timing and duration of the
21 relocation and, based on the information received, make
22 a determination that the interests of the public will be
23 protected.

24 Although the public advertisement and other
25 notices given for this informal conference included the

1 relocation of the road as part of the purposes of this
2 informal conference, the Division will not rely solely
3 on this meeting on this issue.

4 And before making its findings concerning the
5 adequacy of the protection of the public interests
6 involved, we will have discussions with those other
7 parties.

8 Finally, I'll repeat that this informal
9 conference is an opportunity for the Division to receive
10 comments. It's not a hearing on the determination that
11 the application is complete.

12 We've made that determination, and we
13 certainly will hear your comments on that. No person's
14 rights to appeal the final decision of the mining
15 approval will be affected by the fact that they make
16 comments here tonight or not.

17 We hope that the comments will be
18 constructive, and your comments will help the Division
19 to conduct a better permit review and reach a better
20 decision making on this mine application.

21 The final decision on whether to grant the
22 permit or not will occur after a great deal of
23 additional work.

24 You will receive notice of that decision if
25 you elect to provide comments with your name and

1 address.

2 Now, I do believe we have a list going around
3 where you can put your name and address if you
4 receive -- want to receive more information from the
5 Division. You can just list your name if you just want
6 to show that you participated in the meeting tonight.

7 So let me summarize the comments we've
8 received so far. In all, approximately 40 individuals
9 have commented and four interested organizations.

10 And these were all comments that we received
11 on or before May 22nd. Three requests for an informal
12 conference were received by May 16th.

13 These came from Bobbi Bryant, Peter and Luella
14 McMahan and Brian Douglas. Five more were received by
15 May 22nd.

16 They were Daron Cleveland, Kurt and Teresa
17 Sherwood, Danielle Bass, Phillip and Harriet Presca and
18 Steven Bloch representing the Southern Utah Wilderness
19 Alliance.

20 Let me also mention that supportive comments
21 were received from the Kane County Commission,

22 Representative Mike Morrell, Alton Mayor
23 Claren Heaton and from individuals.

24 Supportive comments focused on the need for
25 the jobs and the industry in this region and the need to

1 provide for energy independence.

2 Most comments received by the Division were
3 concerned with the effects of 300 trucks daily on the
4 designated Panguitch National Historic District and the
5 effects of truck traffic on safety to travelers on
6 SR 89.

7 Some were concerned about visibility impacts.
8 Some were concerned about traffic throughout, and some
9 mentioned impacts on wildlife and the water resources.

10 To the extent that we have rules that affect
11 these issues and resources, we will certainly address
12 them.

13 But your comments are certainly much
14 appreciated, and we will take those into consideration
15 as we go through the review process.

16 Let me explain how I'd like to proceed
17 tonight. First of all, as I mentioned, Priscilla Burton
18 from the Division will give a brief explanation on the
19 proposed mining operations.

20 After her explanation, we'd like to receive
21 comments by the persons who requested an informal
22 conference. These include the names I've already
23 mentioned, Bobbi Bryant, Peter and Luella McMahan, Brian
24 Douglas, Daron Cleveland, Kurt and Teresa Sherwood,
25 Danielle Bass, and Steven Bloch.

1 No one who provides written comment need
2 address this -- this meeting orally. And, as I've
3 previously mentioned, we will leave a time period open
4 for the remainder of the week for any written comments
5 that you want to submit.

6 Next, we would like to hear from those who
7 have submitted written comments and wish to speak
8 further, again only if they wish to do so. These would
9 be the people whose names I haven't mentioned but who
10 have turned in written comments.

11 And, finally, we'd like to allow for comments
12 from any others as time permits. And certainly, before
13 the close of the meeting tonight, we will also leave
14 some time for a statement by the applicant in response
15 to any comments they've heard tonight.

16 Although I don't want to set specific time
17 limits for each person, I would ask you to be succinct
18 and to summarize your comments as quickly as you can.

19 I believe that you should be able to do this
20 within a window of about five minutes each, recognizing
21 that we may have many persons who wish to comment.

22 If I do sense an individual's comments are
23 running long, then I'll ask you to conclude very
24 quickly.

25 I'd also encourage you to contact these

1 Division staff members after this informal conference
2 with any specific questions that you might have.

3 As we close the meeting tonight, we'll
4 certainly have a few minutes while we're cleaning up and
5 taking down chairs. And if you want to visit with any
6 of the staff members, we'll be around as long as we can
7 to answer your questions.

8 It probably would not be reasonable during
9 this meeting to try to have a dialog with individuals
10 while we have others who may be waiting for comment.

11 So, having said all this, let's now proceed
12 and turn the time over to Priscilla, and we'll organize
13 our comments -- public comments as I've indicated.

14 MS. BURTON: I've come with a few handouts
15 that you're welcome to come up after -- after we've
16 taken comments and -- and take home with you.

17 One is a -- a fact sheet on the Coal Hollow
18 Mine, and this is information that is boiled down from
19 those six volumes over there (indicating), which is the
20 mine application.

21 And the other paper is a -- a diagram of the
22 relocation of the road, and we'll go over that in a
23 minute. And then I've got some cards up here if you --
24 if you want to pick up my card.

25 DIRECTOR BAZA: Can everyone hear Priscilla?

1 Does she need to use the microphone?

2 MS. BURTON: Just to make -- make it clear, a
3 lot of the commenters that we received comments from are
4 aware of the BLM's current environmental impact
5 statement that they are writing on a federal lease that
6 is adjacent to this privately held coal that the
7 Division is currently permitting.

8 So that is a -- is a separate issue, and
9 you'll have an opportunity to comment on that when it --
10 when the BLM environmental impact statement comes out in
11 draft form.

12 So what was before the Division -- or is
13 before the Division and what was noticed in the public
14 notice is a -- an application for a -- a mine on private
15 land.

16 And the coal is held in -- in private --
17 privately owned coal, which we refer to as fee coal.
18 It's 635 acres, and it's in Township 39 South, Range 5
19 West, Sections 19, 20, 30 and 29. And that's just south
20 of Alton.

21 Also wanted to mention that these six volumes
22 over here are available on our website, and I've written
23 the website on the -- the blackboard inside that room
24 where I've written the website.

25 The website's also stapled to the public

1 notice, which was in the Southern Paiute News in March
2 and April. And so it's on the wall up there.

3 So you can log on to that website. You have
4 to use a password and log in, and the password and log
5 in are both ogmquest.

6 And so these maps on the wall display, first
7 of all the location --

8 THE REPORTER: Excuse me.

9 DIRECTOR BAZA: Yeah. She cannot hear you.
10 Do you want to use the microphone?

11 MS. BURTON: So the topographic map shows the
12 location. I was going to start down there, Wayne, and
13 just point out Sink Valley southeast of Alton.

14 MR. WESTERN: The valley is here, and this is
15 Lower Rock Creek in here, and the Town of Alton is here
16 (indicating).

17 MS. BURTON: And then the next map is drawing
18 1-1 area permit and application, and it shows you the
19 same area but on a little larger scale.

20 And the area in pink is the -- the permit area
21 that the Alton Coal Development is applying for a permit
22 for.

23 And -- and then the following map, which is
24 drawing 5-2, shows the progression of mining with year
25 one mining in green and year two mining in brown, and

1 then the third year mining.

2 And this would be -- this mine permit
3 application is for a five-year permit. And, the way the
4 application describes the work, it will be completely
5 reclaimed in five years.

6 Reclamation will be contemporaneous; so, as
7 each pit is mined, it will be reclaimed. The mine will
8 use hydraulic excavators, front-end loaders, end-dump
9 mining trucks, and they will try to mine without
10 blasting if possible.

11 Then, the next map, which is drawing 5-3, of
12 this permit application shows the surface facility there
13 again. There's going to be a 29-acre office, shop,
14 bathhouse on the north end of the -- of the permit area.

15 There will be an on-site processing plant with
16 crushing, sizing, cleaning and conveying. There will be
17 a 150,000-ton coal stockpile, which will cover 3 1/2
18 acres and have a 85-foot high stacker.

19 And the -- the next series of maps portray the
20 road realignment. Actually, Wayne, point out the road
21 as it goes through the facilities area, the road that --
22 where it is now.

23 MR. WESTERN: This is the road coming down
24 here (indicating), and this is the road realignment over
25 here.

1 MS. BURTON: And Alton Coal Development has
2 been in communication with the county and has worked up
3 a preliminary design which they've shared with us.

4 And that's a series of small papers stapled on
5 the wall. The first one shows the realignment, which is
6 temporary.

7 The second paper shows the order of each of
8 the -- the succeeding profile sheets, how they -- how
9 they fall on the road.

10 So the paper that Wayne has, the dark shading,
11 that shows each of -- where each one of the following
12 sheets is located, and those sheets show the profile of
13 the road and what it will look like.

14 And the road will be -- it will be 24 feet
15 wide; it will be a gravel base road, and it will be
16 treated with either calcium chloride or macadam. And
17 there will be a 66-foot right-of-way on either side of
18 the road.

19 Anything else? The BLM is -- I think John may
20 have mentioned this. The BLM is currently doing scoping
21 on the road right-of-way, and public has an opportunity
22 to comment on the realignment with the BLM as well as
23 with -- with us tonight.

24 The realignment is temporary, and it will be
25 returned to its approximate original right-of-way at the

1 end of mining.

2 And there are -- there will be three possible
3 final alignments, depending on whether or not the
4 federal lease goes forward and whether or not Alton Coal
5 Development acquires those leases. And that's -- that's
6 what the Division knows about that road.

7 DIRECTOR BAZA: Priscilla, do you want people
8 to have copies of this?

9 MS. BURTON: Yeah. They can have those.

10 DIRECTOR BAZA: We're going to be passing
11 around a fact sheet that Priscilla referred to for
12 anybody who wants one. Please feel free to take one.
13 Priscilla's cards are up here as well.

14 I -- I should have mentioned that -- that the
15 team that you see in front of you will be the review
16 team for this coal mine application, and Priscilla has
17 been designated as the team lead.

18 She actually lives in Emery County; and -- so
19 she's very familiar with coal country and the impacts of
20 the development that it has in those areas.

21 So if you want to correspond with Priscilla or
22 ask questions of her, please take one of her cards. I'm
23 sure she'd like to hear from you and exchange e-mails
24 with you as you would like.

25 At this time, this is the time that we allow

1 to have anyone who wants provide oral comment.

2 We do have a court recorder here as you can
3 see, and she's transcribing this -- not that this is a
4 legal document for any reason, but we want to make sure
5 we get your comments right the first time. So that's
6 why she's here.

7 So if you're going to come up and make
8 comments, please state your name so that she can hear
9 you and identify yourself.

10 Let's start with those people who have
11 supplied written comments to us, and, again, I'll repeat
12 those names, Bobbi Bryant, Peter and Luella McMahan,
13 Brian Douglas, Daron Cleveland, Kurt and Teresa
14 Sherwood, Danielle Bass or Steven Bloch.

15 UNIDENTIFIED VOICE: Mr. and Mrs. Presca.

16 DIRECTOR BAZA: Oh, Mr. and Mrs. Presca also.
17 Sorry about that.

18 Are any of those people here and would like to
19 provide oral comments? Please step up to the
20 microphone.

21 MS. BRYANT: My name is Bobbi Bryant,
22 B-r-y-a-n-t. And I've been in communication with Daron,
23 a couple of communications via e-mail.

24 And I guess I have a couple of questions
25 that -- or a couple of items that I would like to have

1 clarification.

2 And one is -- I know several times it's been
3 address- -- I live in Panguitch, by the way, Panguitch,
4 Utah, and I own a business there called Bronco Bobbi's
5 and used to own one of the historic homes that are
6 restored in Panguitch. And I have lived there for 11
7 years. And I own a historic building presently.

8 It states in the code rules that the Division
9 consider the impact of hauling coal through Panguitch,
10 Hatch and Alton.

11 The rules are clear that, in addition to
12 considering the impact of coal mining and reclamation,
13 operation to the permit area, the Division must give
14 equal and full treatment to the adjacent area, the area
15 outside of the permit area where a resource or resources
16 determined according to the context in which adjacent
17 area issues are or reasonably could be expected to be
18 adversely impacted by the proposed coal mine.

19 And I think you all know the Utah state rules
20 to that, but if you want me to quote those, I will.
21 It's Rule 645-301-411.140. And also economics of the
22 adjacent area is Rule 645-301-411.130.

23 I know that even the Utah State Historic
24 Preservation Officer and other people have requested
25 from the Division that this be addressed in the C.R.M.P.

1 and in other analysis of this permitting.

2 And, to date, I don't believe any of that has
3 been done, and that is one of my questions is why? Has
4 this fallen on deaf ears or are we going to have that
5 study done?

6 The other thing is that several responses were
7 sent to the Division regarding the impact of the coal
8 mine on local economy and businesses in Garfield County.

9 Panguitch, as you know, recently received the
10 designation of a National Historic District in 2006, and
11 we have -- we continually see visitors come to Panguitch
12 and come along Highway 89 because they no longer want to
13 do the Interstate.

14 They want to visit the small towns, the small
15 communities, the small roads, see the beauty. And what
16 more beautiful place than Southern Utah? I mean, we're
17 very, very fortunate to get to live here.

18 Representative Mike Morrell, I don't know if
19 he's here. He made a comment in his -- in his memo
20 that -- or his e-mail that \$150 million in mineral
21 royalties come to the state.

22 But I didn't know if he also studied and
23 realized that over \$376 million come in fishing
24 activities -- and we used to, by the way, own Panguitch
25 Anglers and fly-fishing business -- 274 million in

1 hunting activities and over 542 million in
2 wildlife-viewing activities.

3 And that activity continues to increase each
4 and every year, and we see more and more of that around
5 Bryce Canyon.

6 Also I've heard for years -- I don't hunt, but
7 the people in Alton live in probably one of the prime
8 hunting areas, the Paunsaugunt Plateau. Everyone prays
9 to the hunting gods that they get to draw a permit to
10 hunt here. So I think that needs to be taken into
11 consideration.

12 I also think we need to look at what happened
13 with Salina Creek and the coal dust and the poisoning of
14 that creek.

15 What will happen to the Sevier River, Mammoth
16 and Asay Creeks? Will we have that same situation
17 happen there?

18 Many of us draw off of those waters for our
19 wells, the aquifers from there. Will that poison our
20 water? Will we be in a position where we have to drink
21 bottled water, that we no longer can use the wonderful
22 well water that we enjoy today?

23 Last year over 30,000 -- 30,000 people came to
24 Bryce Canyon just to see the night skies. How
25 phenomenal are they? They're just absolutely beautiful.

1 It's a -- my -- my question, if this mining
2 activity goes for 24 hours a day, and trucks are
3 traversing in and out of Alton every three to five
4 minutes, plus the lights for the mine, what is that
5 going to do to the night skies?

6 I don't think that -- from what I've read
7 under the C.R.M.P., I don't think adequate studies have
8 been done on that, and I think we need to do more
9 studies on it.

10 I'm almost finished.

11 The water situation, the slurry ponds. Right
12 now, we know that Iowa has experienced the second
13 500-year flood in 75 years. It's a terrible situation.

14 We have 100-year floods here that seem to come
15 every 10 years. How is that being addressed? How are
16 we going to handle that, once walls of water come down
17 and go into those slurry ponds that are going to go into
18 Kanab Creek and the other creeks, Robinson Creek, and
19 other creeks are going to be impacted and affected by
20 that.

21 Commissioner Hapshaw figures the Heritage
22 Highway includes logging and mining, which is true.
23 That was a wonderful heritage industry.

24 But that was before we had national parks.
25 That's before we had the Europeans and the Asians coming

1 over traveling to see the beauty of our state and the
2 beautiful -- the beauty of Zion and Bryce, Capitol Reef,
3 et cetera, all the parks that are in the counties that
4 surround Kane County. So I want that to be considered.

5 Last year, over \$138 million was spent in
6 Garfield County by tourism, \$90,000 in Kane County.
7 Will these jobs equal that if we lose that tourism? I
8 doubt it.

9 Thank you.

10 DIRECTOR BAZA: Thank you, Ms. Bryant.

11 And, let's see, who do we have coming up next?

12 MS. MCMAHAN: Luella McMahan.

13 DIRECTOR BAZA: Okay.

14 MS. MCMAHAN: Hi. I'm Luella McMahan. It's
15 M-c-M-a-h-a-n. And I don't have a whole lot to add to
16 what Bobbi did, but I do live in a historic home in
17 Panguitch, and we are part of the historic district. We
18 are on the Mormon Heritage Highway.

19 And I'm a business owner, and I rely on
20 tourism. And I am very concerned about the negative
21 impact that the increased traffic is going to have on my
22 business because I don't think that the tourists are
23 going to want to hassle with an additional 300 trucks on
24 the roads to try to get to us.

25 And I'm also extremely concerned about the

1 health hazards. I have asthma, which is one of the
2 reasons that I moved to Utah because I couldn't breathe
3 in California.

4 I can breathe here, and I'm extremely
5 concerned that I won't be able to do that any longer
6 without some kind of oxygen with the coal mines come --
7 coming into our town.

8 So I'm just wanting to know how many jobs are
9 there going to be and how many of those positions will
10 be filled by our locals.

11 Because I know that there may be jobs, but are
12 those going to be actually filled by local people or are
13 they going to be outsiders?

14 Because if it isn't going to help in that
15 respect, then -- I mean, that -- that, to me, would be
16 the only purpose for -- for having it, and I don't think
17 that's a good one.

18 Anyway, that's all I have to say. I just am
19 very concerned about everything, our environment, like I
20 said, my health issues as well as everyone else's in our
21 district and the negative impact on our tourism.

22 So, thank you.

23 DIRECTOR BAZA: Thank you. Okay. Was there
24 anyone else from the list of names that I mentioned?

25 Okay. Let's move to that second group then.

1 Is there anyone here who supplied written comments that
2 I didn't mention their name who would like to speak?

3 Okay. We've got several hands. Please come
4 up to the microphone, and state your name for the
5 reporter.

6 MS. CLEVELAND: My name is Claire Cleveland.
7 I'm Mrs. Daron Cleveland.

8 I very much believe in individual freedom and
9 private property and those rights.

10 However, when the activities on those
11 individual properties negatively impact significantly
12 the surrounding areas, then it's not just about those
13 individuals and what they're doing on their individual
14 land; it's about everyone who's around them and it's
15 about how it's negatively impacting those people around
16 them.

17 I think the impact of this mine would be
18 significant. Bryce Canyon has one of the cleanest air
19 qualities virtually in the world, from my reading.

20 It also has one of the best view sheds in the
21 world for the night skies, as Bobbi was mentioning
22 earlier.

23 And to jeopardize those -- it takes a long
24 time, if -- if people hear about this news, and they're
25 tra- -- and they're -- the tourism and that sort of

1 thing, it takes a long time to remedy that.

2 So even if it is just five years, that
3 negative word can really have a sustaining impact on the
4 tourism industry, which is huge in Southern Utah.

5 Also this part of the country is one of the
6 last parts of this country that has this quiet and this
7 solitude where you can go for miles and miles and miles
8 and not see another human being. And bringing in this
9 kind of industry really negatively impacts that as well.

10 And for people moving into this area from
11 different areas who are bringing in economic well-being,
12 bringing in new businesses typically based on the -- the
13 tourism industry, those folks are coming here because
14 it's unique.

15 If you want to go in -- in the city, there's
16 New York, Boston, basically the entire East Coast, the
17 entire West Coast.

18 They're there; they have infrastructures that
19 are built and in place, it won't cost the state billions
20 of dollars -- it would cost the state billions and
21 billions of dollars to recreate that infrastructure for
22 those cities, but then we'd just be like everybody else,
23 there'd be no special draw for people to come here.

24 Sorry, I'm nervous. I haven't done this
25 before.

1 And being that unique place, I think that's
2 what differentiates us and makes this a place that
3 people want to start those kinds of businesses and will
4 be the future of Utah.

5 That's what its unique characteristic is. I
6 think if you destroy that, then we're just like
7 everybody else, and you lose that primary uniqueness
8 that differentiates us.

9 Just keeping this area the way it is as far as
10 the natural resources, as far as the national parks and
11 those sorts of things are what -- are what's going to
12 draw people here, and it's what's going to be the future
13 of -- of this area, of this country.

14 Thank you.

15 MS. YARD: Hello, my name is Becky Yard. My
16 husband and I own a home and a business on Main Street
17 in Panguitch, Utah. Most of my concerns have already
18 been addressed.

19 But my husband and I both are members of
20 Panguitch Main Street and the Triple C Board of
21 Directors, and we work very hard to bring events and
22 tourism to Panguitch.

23 And I'd like to know what will happen -- we
24 block our streets off in Panguitch four times a year for
25 festivals that bring sometimes up to 10,000 people into

1 our little town. What will happen with coal trucks
2 coming through every 4.8 minutes to our beautiful town?

3 I know this is a selfish statement, but I'm
4 going to read it anyway.

5 If there must be a coal ca- -- a coal mine in
6 Kane County, why not choose a truck route through Kane
7 County and leave our -- leave Garfield County out of the
8 picture.

9 If Kane County is receiving most of the
10 federal funds for hosting this coal mine, let their
11 roads bear the brunt of the damage and the traffic --
12 traffic these trucks will produce.

13 We truly believe the amount of road funds that
14 we pay for Garfield County will not justify the amount
15 of money Panguitch and surrounding towns will lose in
16 the lack of tourism, not to mention the damage of our
17 roads.

18 Thank you.

19 DIRECTOR BAZA: Some other hands? Please,
20 there's a microphone over here too.

21 MR. HARTLEY: My name is Richard Hartley,
22 H-a-r-t-l-e-y. And, in my written comments, I addressed
23 all of the issues that we have talked about here.

24 There's one that I haven't heard anybody else
25 talk about. And that is the route over Highway 20 in

1 the wintertime.

2 Highway 20, in the wintertime, for about eight
3 miles from the bottom of the curve -- you get across the
4 hill, down the other side, is every bit as treacherous
5 as any other piece of road in this country.

6 The trucks that are going to be traveling on
7 the road are going to have to stop, chain up, go across
8 the mountain, down the other side, stop, unchain, before
9 they get to Highway 15 and then proceed on into Cedar
10 City.

11 What I would like to know is what kind of
12 provision has been made for the line of trucks both
13 coming and going over that particular highway in the
14 wintertime has been made.

15 Because if there's been no provision made,
16 there's going to be a line of trucks clear back to the
17 state line as these guys chain and unchain these trucks.

18 Thank you.

19 MR. SWAPP: My name is Richard Swapp. And I
20 live outside the town of Alton just over here on -- on
21 the ranch.

22 And I appreciate all the concerns that have
23 been brought up. I share some of those concerns.

24 The -- the main concern I have is my
25 understanding that the coal company has made a verbal

1 commitment to the town of Alton, they will not drive
2 their trucks through the town.

3 Now, if they're not going to drive the trucks
4 through the town and they're going north, I would really
5 like to know what their proposed route is and what
6 they're going to do.

7 We -- we have private property; we're planning
8 on subdividing. If they -- they've made overtures to us
9 to buy part of that property, which has been turned
10 down. But, with the recent court rulings and things
11 like that, there's always ways to get around that.

12 And I would like to know what the coal company
13 plans to do about that route, and actually if that falls
14 partially in the permitting process.

15 Thank you.

16 MS. ALLISON: My name is Barbara Allison. I
17 live in Panguitch; I have a business in Panguitch. We
18 have a motel right on 89.

19 Right at this time of year is very difficult
20 for our customers to even get out on 89 because there is
21 a lot of trucks; there is a lot of cars. And I can't
22 imagine every four and a half minutes a coal truck added
23 to this.

24 So it -- it makes you think, quick, sell the
25 business, get out because how are these tourists going

1 to handle it all. It's just -- it's a real puzzle.
2 Most everything else has been covered by all you folks.

3 The danger for children is a big worry for us.
4 We have great-grandkids who come up. And what's going
5 to happen when these little grandkids accidentally go on
6 that 89. It's scary, very scary.

7 Okay. Let's see. The jake brakes, the
8 shifting of all the trucks, all that noise, I think, is
9 really going to damage the motel business, and we are a
10 tourist town.

11 We have 13 or 14 little motels in town besides
12 bed and breakfasts, and it's -- it's a tourist town.

13 And it's enjoyed by everybody. It's so
14 beautiful. It's -- we want to keep it that way.

15 Thank you.

16 MR. DRUMMOND: My name is Jerry Drummond,
17 D-r-u-m-m-o-n-d. I operate a small lodge up on
18 Highway 89, just south of Highway 12.

19 We cater to park visitors and fly fishermen.
20 As far as fly-fishing goes, I've fished all over the
21 country. I've been in states where you can't even get
22 in the waters because they're condemned today.

23 I'm very nervous.

24 Other parts of the world, as you might know or
25 might not, there aren't any fish in the waters anymore

1 because they abused them. At least, we've taken the
2 efforts to try and calm that a bit.

3 As far as the park visitors go, probably
4 80 percent or more of our visitors are park visitors.
5 They come here for the reasons you've heard, because of
6 the skies, the quietness. They comment over and over
7 again. They come back over and over again.

8 They come from Internet advertising. They
9 come from travel agencies. I've spoken to a few of our
10 travel agencies that bring people to our area. And they
11 have basically said that when they get a bad report,
12 they stop recommending.

13 So, thank you.

14 MS. ALLISON: My name is Carol Allison. I
15 live in Panguitch off of Highway 89 just south of 12. I
16 agree with most of the comments that have been made
17 here.

18 My husband and I purchased our property
19 because we so enjoyed the beauty of this area. And just
20 driving up here today, I could not imagine what is going
21 to happen to this area and what is going to happen to
22 your tourism.

23 And, as Mr. Drummond said, as being a travel
24 professional, I can tell you he's right. And when the
25 word gets out about this area and about the coal mine

1 trucks and the traffic, the noise and the dust and the
2 dirt, you can bet the travel professionals will not
3 endorse this area. And it's such a beautiful area.

4 And the people that we have met in this area,
5 the businesses, I think it's justly unfair to the common
6 man to do this.

7 MR. JOHNSON: My name is Jim Johnson. I live
8 in Kanab. I want to address this trucking business a
9 little bit. Chance Corporation travels through Kanab
10 from Page, Arizona to Las Vegas, Nevada, 24/7.

11 They come up over a high grade at the north
12 end of the Kaibab. They travel through Hurricane, stop
13 in the middle of Hurricane, a busy part of the section
14 of town, travel past the elementary school.

15 We thought the same thing as the people of
16 Panguitch. I can say that we've had no problems with
17 them traveling through Kanab, like I say, 24/7.

18 I would do work at a local motel there. And I
19 do know that we turn away people practically nightly,
20 tourism.

21 Thank you.

22 MR. MCMAHAN: My name is Peter McMahan as well
23 as my wife. She mentioned some of the economic impact.
24 I worked for the Federal Government for 31 1/2 years,
25 including eight years with the national parks.

1 During the late '70s and early '80s at Mesa
2 Verde National Park, they did a visibility study, of
3 which I was a part, viewing the changes that were
4 apparently going on in the Four Corners area.

5 And when the conclusion of that study came
6 out, it was determined that visibility had significantly
7 decreased directly related to coal projects, the power
8 plants and others, and some of the -- the negative
9 impact that was felt by that region. This is a -- a
10 matter of public record.

11 I also have a degree, one of my degree's in
12 biology. I can tell you that with wildlife migrations,
13 as they instinctively cross the highway -- and having
14 also worked in Everglades National Park and seeing these
15 migrations, I can also add very distinctly with studies
16 that I've participated in, that the wildlife will be
17 very negatively impacted, especially with the number of
18 trucks more significantly than what this gentleman
19 pointed out that would be seen on the highway.

20 Thank you.

21 MR. HEATON: Hi. I'm Ron Heaton from Cedar
22 City, Utah. I made comments. I'd just like to talk
23 about the employment possibilities.

24 There are some significant problems with
25 transportation that need to be addressed, but one of the

1 things that Kane County lacks is diversity in
2 employment.

3 And the coal mine definitely would bring some
4 of those. And we ought to consider those employment
5 needs because there are -- I grew up here but could not
6 stay here because of employment.

7 I was fortunate enough to find a job close in
8 Cedar City, Utah, but I have children from Hawaii to
9 Maryland who cannot be here because of employment
10 opportunity. And I think that ought to be considered
11 because we do need some employment.

12 It would be my preference if they could use
13 the coal on-site, but, as you all know, they proposed an
14 Alton project slurrying the coal out 30 years ago.

15 And it was turned down because they didn't
16 want any power plants in the area. It was never built.
17 It was probably a wise decision, but the Alton project
18 never succeeded either.

19 And our nation faces some difficult energy
20 problems, and we need to address those one way or the
21 other.

22 So I think you need to consider employment and
23 what it would do for -- for the county and this end of
24 the state.

25 MR. THEVENIN: I'm Paul Thevenin, and I'm from

1 Alton here. For those of you who drove in, I live in
2 the first house as you come into town. And I love this
3 community wonderfully well.

4 I think this is basically a local community
5 project, and I think the greatest weight should be given
6 to the people who live here locally.

7 They talked about the road and that. It's
8 going to be diverted out around. It really doesn't
9 affect the tourists that much, that particular road,
10 because it's a dirt road.

11 Very few people come in, go out -- and go out
12 through Johnson Canyon. And it's going to be replaced
13 by a dirt road. It's a gravel road, but it's basically
14 dirt. So that's one of the things. I think we don't
15 have a real problem with that.

16 One of the other things that was mentioned is
17 the pollution that's going to be up at Bryce. We're
18 here at about 7,000 feet; Bryce, I think, is about 9,000
19 feet. And I don't think that type of particulate is
20 going to get into the air and go up the 2,000 feet to
21 really inundate Bryce Canyon.

22 As far as the truckers go, I would really
23 rather trust my grandchildren to a truckdriver with a
24 CDL than somebody my age, 74, driving a big motor home
25 through town when he doesn't have the vaguest idea what

1 to do with a vehicle that big.

2 So I have -- having been around truckers most
3 of my life, really very few people ever get squashed by
4 commercial truckdrivers.

5 One the other things that was on my mind --
6 oh, as far as the relocation or restitution of the
7 property, this project came up, or discussions about it,
8 about four years ago or so.

9 And this time I was on the town council, and
10 they recommended we go up to Kemmerer, Wyoming to see
11 what's being done with redoing the property up there.

12 Having been in and through Kemmerer, Wyoming
13 many years ago, I will have to say that Kemmerer,
14 Wyoming never looked as good as it did after they did
15 the re- -- redoing of the property up there. It's a
16 much, much nicer place.

17 If any of you've ever been up around Kemmerer,
18 Wyoming, my advice is to go see what they're doing with
19 reclamation.

20 A lot of people, when they think of mining,
21 they think of the old days, the strip mining, where you
22 stripped it and ran off to somewhere else and left
23 everything alone. But there's so many safeguards now; I
24 don't think that'll happen.

25 Oh, the other thing is, being -- being from

1 Alton, I think -- as this project is down here in the
2 Alton area, I think, probably the greatest weight of
3 concern for those who are making decisions should be the
4 feelings of the people here in Alton.

5 DIRECTOR BAZA: We have plenty of time if
6 there's anybody else who wants to comment.

7 MR. JUDD: Hi. My name is Brent Judd, and I
8 live here now since -- I have for about 10 years, 13
9 years. Born and raised in Kanab.

10 I love the red rocks of Kanab, and the white
11 ledges of Johnson Canyon and the pink cliffs of -- of
12 Bryce. It's a beautiful area.

13 But I also know that this country is in a
14 world of hurt when it comes to energy. We always want
15 somebody else to do it for us. We always want it to go
16 someplace else.

17 And I believe that we are stewards of the
18 land. And we need to take care of what we have, and I
19 believe that we can do it in a -- in a way that can be
20 helpful and friendly and be able to provide the
21 resources that we need in this country.

22 So I'm for the Alton Coal Project. I'm
23 concerned about the road out of here and how they're
24 going to get it through the town of Alton.

25 And I -- I expressed the same question that

1 Richard addressed a little while ago. And how are they
2 going to do that because the streets here in Alton are
3 pretty tiny, but I -- I believe that we can -- we can
4 probably work that out somehow.

5 But we need to take care of our energy needs
6 in this great country, and we can't pawn it off onto
7 anybody else any more.

8 Tourism will survive, but if energy goes away,
9 tourism will go away too because nobody will be able to
10 drive here to see this beautiful land.

11 Thank you.

12 MS. BRYANT: I -- I guess I need a
13 clarification. During the BLM initial BIS, we were told
14 by the Alton -- the Coal Hollow project that this coal
15 was not -- was going to be railed out of here in Cedar
16 City. And, at one time, I was told it was going to
17 China.

18 I guess we need clarification. Is this coal
19 going to be used in the United States or not?

20 DIRECTOR BAZA: I know that's a question you
21 want addressed. We do have a representative of the coal
22 company here.

23 I indicated to him that we would give him the
24 last word tonight to try to respond to some of these
25 comments and questions.

1 But, before I do that, is there anyone else
2 who wants to be on the record tonight?

3 MR. SALVATO: Hi. My name is Vince Salvato, I
4 live in Panguitch. Salvato, S-a-l-v-a-t-o.

5 In answer to this question about jobs, last
6 year in Garfield County, there was 500 building permits
7 issued. And 90 percent of the construction in Garfield
8 County was done by outsiders.

9 The jobs are here. We need to educate our
10 young people, train them, send them to school for
11 plumbing, carpentry, framing. There's plenty of jobs.
12 That's not an issue.

13 Thank you.

14 DIRECTOR BAZA: I see we have some people that
15 just walked in. Right now, we have a bit of an open
16 mike.

17 If you would like to make comments for the
18 record for us to consider as a Division, please step up
19 to the microphone and do that.

20 We'll shortly be turning some time over to the
21 representative of the coal company who would like to say
22 a few words too.

23 MR. FRANK NICHOLS: I'm Frank Nichols; I'm
24 from Cedar City. I'm -- I own the property and the
25 industrial park where the coal will be loaded out of.

1 And this is a very positive thing for the
2 railroad and Cedar City, sparkplug more railroad use,
3 which will sparkplug more railroad use.

4 And railroads are coming back. It's the
5 efficient way to move materials and equipment especially
6 now that energy costs are a lot.

7 And so it's going to do a lot for employment
8 also in Cedar City. And so I'd just like to go on
9 record as supporting it.

10 DIRECTOR BAZA: Okay. We have a comment back
11 here.

12 MR. BRIAN NICHOLS: Hi. My name is Brian
13 Nichols from Cedar City also. And we're here with
14 Frank.

15 We're excited for the economic development
16 opportunities that are going to come with the expansion
17 of -- of the coal operations over here for -- for this
18 part of the county as well as where we're at.

19 My wife's family has a summer residence just
20 off of Hatch in the Mammoth Creek area. And I think
21 that we're just excited to have these opportunities.

22 I think, with energy costs where they're at,
23 that -- that expansions such as these are going to
24 happen, whether in this part of the country or
25 otherwise, and -- and we might as well benefit from it.

1 So I'd like to go on record as being in favor
2 as well.

3 Thank you.

4 MR. HEATON: My name is Claren Heaton. I'm
5 the Mayor of Alton. I figure I ought to, at least, get
6 my two cents worth in here.

7 I know we've talked about truck traffic and --
8 and wildlife and -- and all of these things, and -- and
9 I understand that there's -- there's some concerns
10 there.

11 And, again, it was brought up about the energy
12 prices, the energy costs. I just noticed -- I don't
13 know how many of you have gotten your Garkane paper in
14 the last three or four days.

15 They're talking about a rate hike because
16 of -- because of transportation costs. That's going to
17 be held in, I think, it was in October of this year when
18 they're talking about that.

19 What -- what is that going to do if -- if we
20 don't -- can't supply the coal to some of our local
21 power plants, and we bring it in from out of state,
22 which eventually is going to happen because Carbon
23 County and Emery County are literally running out of
24 coal.

25 And people that I have talked to up in that

1 area have said there might be five to eight years left
2 of coal mining in the State of Utah.

3 Kane County has 97 -- 96 or 97 percent of the
4 coal that's in the State of Utah. Now, if we could get
5 access to that -- and I know some of it's on federal
6 land, and some of it's locked up in the monument out
7 there.

8 But if we could get access to that coal for
9 our local power plants, I think that would do a lot in
10 keeping our electrical costs down.

11 Now, you talk about jobs. All the jobs that's
12 come into -- into Garfield County, probably most of 'em
13 happened on Cedar Mountain up around the lake, going --
14 going up that way.

15 I know there's a lot of building going up
16 there, but what does that do for us? Those jobs don't
17 do anything for the town of Alton. That doesn't do
18 anything for our kids to come back to the Town of Alton
19 and live and stay.

20 And I -- I understand the transportation costs
21 that you have, but there are other things. There are
22 other people who are affected by it, not only with the
23 transportation but with energy costs, with power costs.

24 And if we can use this coal to even make --
25 there -- there's some people around that have the

1 ability to do gasification, which makes diesel fuel out
2 of this stuff, gas out of this stuff.

3 Why not try and be energy sufficient right
4 here? If we can make diesel, if we can make gas, and we
5 can keep our electrical costs down, why not do it right
6 here?

7 I mean, there may be some things that we have
8 to -- that we have to live with. I mean, I'm not --
9 I -- I'm not thrilled about all of the trucks if they --
10 if we have to come through town. I understand that.

11 But there's some things that we have to do or
12 I don't know where our standard of living is going to go
13 if we keep buying fuel, buying oil, buying coal from
14 outside the country basically.

15 And it keeps -- I mean, how many of you like
16 the \$4 a gallon for gas, \$5 for diesel? I don't know
17 how many of you own diesel trucks, but I know a couple
18 who have gotten a diesel truck not too long ago, when it
19 was at \$3 a barrel -- or \$3 a gallon, and they basically
20 had to park their truck because they can't afford to
21 drive it anymore.

22 And if we can afford and have someone here in
23 this area that can make diesel out of coal, gas out of
24 coal, why not do it? Why not let it happen right here?

25 Thank you.

1 MR. BARON: Hi. My name is Erik Baron,
2 B-a-r-o-n, and I work in Kanab. I commute 48 -- or 84
3 miles a day to go to work in Kanab because there is no
4 job near here that will totally suffice to support me
5 and my family.

6 I was lucky enough to marry a girl from here,
7 and we were able to get some property.

8 On the trucking issue, working in Kanab, I
9 work at the Sheriff's Office in dispatch, and I work the
10 night shift.

11 And, just a different spin on things, at night
12 the trucks are the only ones going down the road most of
13 the time.

14 You know, we have accidents at night, and, a
15 lot of the times, the truckers see the accidents and
16 call in and report 'em.

17 Whereas, before we had the trucks coming
18 through from Page to Kanab to Hurricane, it was
19 sometimes eight hours before somebody was found lying on
20 the road who was thrown from their car. But these
21 truckers were able to stop, render first aid and get
22 medical attention.

23 Now, tourism in Kanab has not slowed down any,
24 and they have actually progressed and been able to open
25 more shops and more tourist attractions for the town.

1 And so there's been plenty of opportunities for
2 tourists.

3 Kanab has several historical places also that
4 were somewhat affected, but they've gone -- they've
5 overcome those things that have happened, and they've
6 moved on.

7 And, overall, the company that's hauling from
8 Page to Hurricane has helped -- excuse me, helped the
9 Kanab community numerous ways more than just, you know,
10 having traffic there.

11 There's a lot of other things that go with the
12 traffic. There are good sides of it. And so I'm quite
13 in favor of this.

14 Thank you.

15 MR. BLACKWELL: Hi. My name is Rick
16 Blackwell, Paiute County Commissioner. I thought I
17 lived in the most beautiful little community in Southern
18 Utah until I drove into Alton, Utah.

19 And now I know why my children -- all of my
20 children have very good friends from Orderville and from
21 Alton. I have a son used to come here and stay and was
22 very good friends with the Heaton family.

23 But, beyond that, I think Alton and Southern
24 Utah has a great opportunity to do some wonderful things
25 with this coal mine.

1 And I'm going to tell you, many of you have --
2 have talked about -- worrying about your [sic] trucks
3 traveling through your community.

4 I was born and raised in Circleville. And I
5 don't know how many of you realize and remember a little
6 trucking company called Hatchco.

7 But I was living on Main Street of Circleville
8 and grew up there. And we had approximately 100 trucks
9 a day who were taking oil from the Escalante oil fields,
10 back when I was growing up, that come through our
11 community.

12 At that time, we had two additional cafes, two
13 more motels and four gas stations. When that started to
14 dry up and they quit coming through our community, it
15 died. We have one motel. We have one grocery store and
16 one gas station in Circleville.

17 So those of you who have businesses in -- in
18 Panguitch, I think it will enhance and glorify your
19 businesses with more business.

20 The opportunities for infrastructure on our
21 road improvements alone with these trucks traveling the
22 road will also enhance your tourism with the
23 improvements that'll be done on the roads and other
24 things.

25 And I know the employment -- I know what

1 that's going to do for Southern Utah. So, you know, I
2 know it's -- it's -- it's Alton here who's going to have
3 to live with the biggest problems, but I support them.

4 I'm not sure what your commissioners have --
5 are supporting this or not. I will get in touch with
6 some of them and find out.

7 But I know the Paiute County Commissioners
8 would be in support of a project like this. We wish we
9 had the coal in our county.

10 Thank you.

11 DIRECTOR BAZA: I don't want to shut this
12 down. I think this is -- we're getting some very good
13 comments here, so . . . but if no one else has anything
14 they want to say, I'm going to ask a representative of
15 the applicant to come forward and make his statement.

16 MR. MCCOURT: My name is Chris McCourt. I'm
17 the manager of Alton Coal Development, and I will
18 directly address the question about the contracts and
19 where this coal is -- is slated to go.

20 Right now, we're still in the negotiation
21 period with several different groups, but I can tell you
22 it's mainly going to be in the regional utilities
23 industry, the majority of the coal will be.

24 We will not be able to nail down the contracts
25 until we have permits, and nobody's going to sign them

1 until that time.

2 So, at this point, I can't tell you the exact
3 locations that it will be going to, but that's the
4 process.

5 Once we have the permits, we'll be able to sit
6 down with the companies that we've been working with
7 already and -- and confirm where -- where the locations
8 of the coal will be.

9 We will -- the main location will be trucked
10 to the Cedar City locale, and, from there, there's --
11 there's numerous different locations that we can direct.

12 (Inaudible question asked.)

13 MR. MCCOURT: The majority of it will be, yes.

14 THE REPORTER: I didn't hear the question.

15 MR. MCCOURT: He asked if it would be in the
16 United States. The majority of it would be.

17 As far as the rest of the questions, the
18 Division will be going through the transcripts from this
19 meeting.

20 And they'll be providing the questions that
21 they would like us to respond to in the technical
22 adequacy assessment that they'll be giving to us
23 probably in the near future. And we will address them
24 in writing at that time.

25 Outside of that, the Alton Coal Development

1 would like to choose not to comment any further at this
2 time.

3 Thank you.

4 DIRECTOR BAZA: Okay. Last chance. Does
5 anyone have anything else they want to say?

6 Now, let me -- let me reiterate, this is not
7 your last opportunity to make a statement to the
8 Division.

9 In my opening remarks, I outlined that we're
10 going to leave the time open for written comments as
11 part of this informal conference through the end of this
12 week.

13 But we also have -- as Priscilla has
14 mentioned, we have a website, put the information up on
15 the board that allows you to log in and find information
16 on this -- this project as it proceeds.

17 We have staff members here who can answer your
18 questions. Please get in touch with them. And we'll be
19 here for -- for a few minutes more, and -- and you can
20 get e-mail addresses or phone numbers from them in order
21 to contact us with your questions.

22 We want to be as responsive to you as
23 possible. I think you can see by the range of comments
24 we had tonight, this is not an easy decision.

25 But it's one that we're going to take very

1 seriously, and we're going to make sure that we do make
2 the right decision that we can make under our laws and
3 rules that have been established for us in the State of
4 Utah.

5 So, with that, if there's nothing else, I will
6 call this meeting closed. And please come forward and
7 ask the staff members any questions you want or look at
8 the maps or peruse the volume of material we have here.

9 Thank you all for coming. We really
10 appreciate your comments and interest.

11 (The proceedings were concluded at 7:22 p.m.)
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER'S CERTIFICATION

I, CAROLE YELTON, a Registered Professional Reporter and a Notary Public in and for the State of Utah, certify:

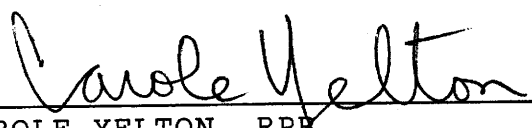
That the foregoing proceedings were taken before me at the time and place herein set forth.

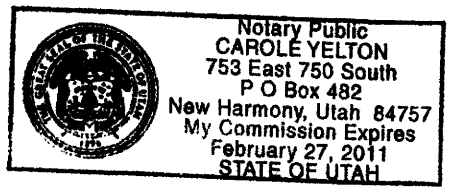
That the Informal Conference proceedings were recorded stenographically by me and were thereafter transcribed;

That the foregoing is a true and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative or employee of any attorney or of any of the parties nor financially interested in the action.

IN WITNESS WHEREOF, I set my hand this 24th day of June, 2008.


CAROLE YELTON, RPR
Notary Public



0014

OKC/025/005 Incoming
cc: Priscilla
Dana
RECEIVED
APR 17 2008
DIV. OF OIL, GAS & MINING

Utah Division of oil, Gas, and Mining
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Resource Development Coordinating Committee
Governor's Office of Planning & Budget
E-210 Capital Complex
Salt Lake City, Utah 84114

April 14, 2008

Subject: Comments on Alton Coal Development Plan for the Coal Hollow Project.

Dear Sirs:

The following comments are submitted by the organization, "Save Our Air & Resources" in the interest of its members . There are a number of areas that we feel need to have a closer look before any approval is given.

1. The use of the roads by the vehicles and equipment will need to be improved due to the use on a 12 month bases. The road conditions as now required are not adequate to control the P.M. 10 and P.M. 2,5 problems with the number of trucks needed for this project. The coal dust will be deposited on the trucks and then distributed along the route.
2. A USGS publication, "Mining-Related Contaminants Persist in Some Coal region Water Wells", dated 12/28/06, points out the need for monitor wells in the area of mines. To quote, "Surface coal mines have historically had major impacts on the quality of shallow ground water." It goes on to state, "These findings are the result of mixing of ground-water in wells open to fractures at various depths, disturbance of rock from blasting, and variations in slopes and terrain relief in the study area."
3. 411.100 Premining Land Use Information, refers to wildlife habitats within the mining area that are found to have Black Bear, Rocky Mountain Elk, Mule Deer, and Sage Grouse, are some of the wildlife that use the lands within the permit area. This is not an adequate study of the total wildlife in the area.

(1)

A publication by the EPA, Office of Solid Waste, "Mining 101:" states, "NEPA documentation for mining activities should include mitigation which may or will be used to minimize or avoid impacts to aquatic, vegetation, and wildlife." Potential mitigation may include, avoiding construction, or disturbance during critical life stages. "For example, delay construction activities until after sage grouse strutting occurs at nearby leks." In the last paragraph of that section, it states, "Assessment/prediction of potential wildlife impacts requires an accurate description of baseline conditions as well as long-term monitoring program to identify any changes from the pre-disturbance environment."

4. Selenium hazards study needs to be expanded. In a publication, "Recommendations for Pre-Mine Assessment of Selenium Hazards " dated January 5, 2004 by A. Dennis Lemly, Ph.D, Senior Scientist in Aquatic Toxicology, it states the need for a comprehensive pre-mine assessment. Dr. Lemly, explains the necessity of a thorough assessment of the selenium concentrations. The test bore holes that indicate that selenium is not found in the area is inadequate. Quote," It is essential to determine selenium concentrations of coal and overburden that are to be moved because once these materials are exposed to air and precipitation, they can leach substantial quantities of selenium." He goes on to state, "This entails making a minimum of one core drilling per 5 acres, extending into the coal bed that is to be extracted. Two samples (about 450 grams each) are taken from each core: one consisting of overburden material and one of the coal itself.. Each sample is evaluated using a passive leaching test." Dr. Lemly, describes the process to be used in the laboratory to evaluate the hazards. Selenium is found in coal in this area and the content of this coal must be verified.

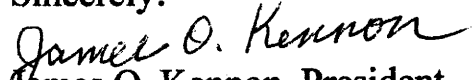
5. The stock piles from the mining operation that presently state that seeding will take place to control dust from blowing is not adequate. These piles of dirt and other material must be covered with a cover of some sort first and then a small layer of soil before seeding takes place. Without this, the waste material and soil will deposit dust in the surrounding vegetation.

6. The status of unsuitability claim quotes a Petition of a surface coal mining study that has a date of January 17, 1980, that determined the area to be suitable for surface mining. Much has changed since that study was

completed. Much more experience in surface mining has taken place and technology has improved drastically. A reassessment of this study needs to be preformed prior to any judgement made on the permit.

It is necessary to determine the full impact of this plan before a permit is issued.

Sincerely:

A handwritten signature in cursive script that reads "James O. Kennon".

James O. Kennon, President

Save Our Air & Resources

146 North Main Street, Suite 27

P.O. Box 182

Richfield, Utah 84701

0015



9/25/05 Incoming
cc. Priscilla
Daron

Bryce Meadows Development Corporation

P.O. Box 80596
Las Vegas, Nevada 89180
(702) 362-6049

April 18, 2998

Department of Natural Resources
Division of Oil, Gas, and Mining
P.O. Box 145801
Salt Lake City, UT 84114-5801

Subject: Alton Coal Development LLC, Application number C/025/0005

This Corporation strongly objects to issuance of a permit to conduct mining operations at the Coal Hollow Mine in Kane County, UT.

This Corporation has a real estate development located in Township 38S and Range 5W which is North of the location of the proposed mining in Township 39S and Range 5W. The Subdivision is approximately 5 miles East of Bryce Canyon National Park. There are over 50 homes currently in the Subdivision. The homeowners desire the area in large part because of the unobstructed vistas. Visibility is very important to these homeowners.

The proposed mining operation will produce particulates which are of an aerodynamic diameter that can be transported the short distance to the Subdivision and degrade visibility. The degradation of visibility would be detrimental to these homeowners and to values of vacant lots.

Sincerely,

Erich Bretthauer
President

RECEIVED

APR 21 2008

DIV. OF OIL, GAS & MINING

0029

*JK Incoming
C/025/0005*

From: <Catgros@aol.com>
To: <daronhaddock@utah.gov>
Date: 5/7/2008 7:30 AM
Subject: C/025/0005 Coal Hollow Project

Dear Mr. Haddock:

There is a group of about 12 that go to Panguitch each year for a vacation. We feel very strongly about the adverse effect that this project will have on the Pretty little town of Panguitch and surrounding areas. That being said I would like to register my negative response regarding the travel of trucks right down the main street of this town and what will happen to the citizens as well as the affect on tourism.

I unfortunately know first hand the affect of air pollution from the trucking industry since I was a scale person for 18 years. I suffer daily with allergy and congestion problems.

Please do not allow this project to continue.

Dorothy M. Gross

>^..^< catgros@aol.com

*****Wondering what's for Dinner Tonight? Get new twists on family favorites at AOL Food.
(<http://food.aol.com/dinner-tonight?NCID=aolfod00030000000001>)

0029

JK Incoming
C/025/0005

From: <Catgros@aol.com>
To: <daronhaddock@utah.gov>
Date: 5/7/2008 7:30 AM
Subject: C/025/0005 Coal Hollow Project

Dear Mr. Haddock:

There is a group of about 12 that go to Panguitch each year for a vacation. We feel very strongly about the adverse effect that this project will have on the Pretty little town of Panguitch and surrounding areas. That being said I would like to register my negative response regarding the travel of trucks right down the main street of this town and what will happen to the citizens as well as the affect on tourism.

I unfortunately know first hand the affect of air pollution from the trucking industry since I was a scale person for 18 years. I suffer daily with allergy and congestion problems.

Please do not allow this project to continue.

Dorothy M. Gross

>^..^< catgros@aol.com

*****Wondering what's for Dinner Tonight? Get new twists on family favorites at AOL Food.
(<http://food.aol.com/dinner-tonight?NCID=aolfod00030000000001>)

0037

From: "Bruce McMahan" <bangels52@gmail.com>
To: <daronhaddock@utah.gov>
Date: 5/8/2008 10:43 PM
Subject: C/025/0005 Alton Coal Mine/Coal Hollow Project

*OK Incoming
C/025/0005*

We are writing to you to express our concerns regarding the Alton Coal Mine/Coal Hollow Project.

We object to this project based on the following;

- Adverse affects of air quality
- Safety issues on the highways due to increased truck traffic.
- Negative economic impact to the tourism in the area.
- Property values will decrease.
- Decrease in our quality of life due to the coal dust and polution.
- Potential decrease in the quality of the air will negatively impact the astronomical wonders of the area.
- Negative impact on wildlife migrating across the highways.
- A limited economic gain for a very few people in our area versus the negative impact to the majority.

We appreciate your consideration of our concerns and would like to request an informal conference per R645-300-123.

Sincerely,

Peter & Luella McMahan

0047

gk Incoming
c/025/0005

From: "Becky Yard" <mrszcz@gmail.com>
To: <daronhaddock@utah.gov>
CC: "Bobbi Bryant" <brancobobbi@gmail.com>
Date: 5/13/2008 8:51 AM
Subject: Alton Coal Mine Project #C/025/0005

Dear Mr. Haddock,

Thank you for allowing us to express our concerns regarding the Alton Coal Mine. My husband and I reside in Panguitch and also own a retail store on Main Street. We have attended every meeting in Panguitch to oppose this venture. As citizens of Panguitch, we have worked so hard in preserving the heritage and bringing tourism to our town. We are members of Panguitch Main Street and are on the Board of Directors for the Triple C Arena. We attend every City Council meeting and have let our city fathers know our opposition to the coal mine.

Our main concern is the traffic through and on Main Street. If the proposed route is used to haul coal from Alton to Cedar city (down Center street, turning on to Main Street), we will have coal trucks every 4.8 minutes barreling through town. What will happen to our Historic District (that we fought so hard for and recently received this designation)? What damage will those additional trucks have on our red brick buildings? What will happen to our festivals (where we close down Main Street to traffic)? How will motels survive with the noise those coal trucks will produce, not to mentioned the fumes and coal dust? How can visitors stroll down our Main Street with these trucks coming through town every 4.8 minutes? How will visitors enjoy the beautiful night sky's in Bryce Canyon National Park with the coal mine in it's backyard, harvesting coal around the clock invading the night sky's with lights and the noise the coal mine will produce?

We have worked so hard to have Panguitch be a destination, rather than a drive by. If the coal mine is allowed to used the proposed route (through Panguitch), we feel it will destroy the town of Panguitch, along with our business and our home life.

If there must be a coal mine in Kane County, why not choose a truck route through Kane County to Iron County and leave Garfield County out of the picture? If Kane County is receiving most of the Federal funds for hosting this coal mine, let their roads bear the brunt of the damage and traffic these trucks will produce. We truly believe the amount of road funds that will be paid to Garfield County will not justify the amount of money Panguitch and surrounding towns will lose with the lack of Tourism, not to mention the damage to our beautiful buildings in Panguitch.

Please acknowledge and respond to my email and let us know the progress of the proposed mine.
Thank you.

Randy and Becky Yard
PO Box 883
Panguitch, UT 84759
(435) 676-8168

0052

*JK Incoming
C/025/0005*

From: Joe & Arlene <dsrmcelroy@yahoo.com>
To: <daronhaddock@utah.gov>
Date: 5/14/2008 6:57 AM
Subject: Alton Coal Mine

Good Morning. I am responding to the planned strip coal mine that has surfaced in the media and I am very much against it. The impact on lives along the transportation route of the coal trucks plus the effect on Alton with coal dust, light intrusion on our night sky, and the ugly scar on our beautiful land is not acceptable. Please stop this action that has long term effects on our State. Thanks, Joe McElroy

0054

*8 Incoming
C/025/0005*

From: Rita Crank <crankbrodeck@yahoo.com>
To: <daronhaddock@utah.gov>
Date: 5/14/2008 10:58 AM
Subject: PRESERVATION OF PANGUITCH

project reference: C/025/0005

We are friends of residence of this quaint and beautiful little town. We love to visit and enjoy the rural life not found in many areas of the nation. This sleepy, lovable little town will be no more if a strip coal mine is introduced into this lovely area; not to mention what this might do to the air. Is it necessary to make a ghost town out of a beautiful tourist area so close to mother nature and all it's wonders?

Please we beg you not to use this private land as your route to the mine.

Respectfully,

Visitors and lovers of Utah - PANGUITCH IN PARTICULAR

Rita MacNeil

0055

*8/ Incoming
C/025/0005*

From: "Dan Stoner" <dan@troasenterprises.com>
To: <daronhaddock@utah.gov>
Date: 5/14/2008 1:59 PM
Subject: Re: Alton Coal Mine

Re: Alton Coal Mine - project # C/025/0005

Daron Haddock,

Our family operates the Sevier River Resort dba Cottonwood Meadow Lodge MM123 Highway 89, Panguitch, Utah. I strongly oppose the Alton Coal Mine as it would negatively impact the tourist business, the environment, public safety, wildlife and residents. We have invested our family's life savings in our business providing opportunities to the local community. This coal mine and the truck traffic it would create to haul the coal would have a catastrophic effect on the local economy which depends on tourism to a large extent. Having trucks roar down highway 89 every few minutes 24 hours a day would insure none of our visitors ever came back. I can only imagine what it would be like to try and pull out on 89 with the truck traffic and the danger created. To allow a coal mine this close to Bryce National Park makes absolutely no sense. The pollution and coal dust coming off the trucks would damage the natural environment that this area is known for. Please protect the residents and this beautiful part of Utah and not allow this coal mine.

I strongly urge you to deny the Alton Coal Mine application for a coal mine in Alton. Thank you.

Daniel P. Stoner

Sevier River Resort

Highway 89 MM123

PO Box 41

Panguitch, Utah 84759

0061

OK Incoming
C/025/0005

From: "barbara sheen" <brycetp@color-country.net>
To: <daronhaddock@utah.gov>
Date: 5/15/2008 3:58 PM
Subject: project Coal Hollow/Alton Coal Mine. project #C/025/0005

I wish to oppose the Alton Coal Mine project as a resident and business owner in the area. I am greatly concerned with the pollution of our air and water and the noise pollution by the transporting coal trucks this mining will cause. I also believe the trucks will cause an additional danger to motorists and the tourist traffic which is essential to our business.

Gayle Collins

0070



southern
utah
wilderness
alliance

KC/025/005 Incoming
John
CC: Dana
Priscilla
Joe
Jim
Dave
Wayne
Steve A.
Daron

May 22, 2008

Daron Haddock
Utah Division of Oil, Gas and Mining
1594 West North Temple
P.O. Box 145801
Salt Lake City, Utah 84114

Keith Rigtrup
Bureau of Land Management -- Kanab Field Office
318 North 100 East
Kanab, Utah 84741

Re: Southern Utah Wilderness Alliance Request for Section 106 Consulting Party Status
Coal Hollow Permit Application C/025/0005 and Alton Coal Development Federal
Coal Lease Application

Dear Daron and Keith:

The Southern Utah Wilderness Alliance (SUWA) is intensely interested in the proposed Coal Hollow coal mine and its potential adverse effects on historic properties both at the mine site itself and the adjacent areas. SUWA would like to participate actively in the review process as a "consulting party" under Section 106 of the National Historic Preservation Act, pursuant to 36 C.F.R. § 800.2(c)(5). We understand that the review process is already underway in the preparation of a cultural resource management plan (CRMP) and data recovery plan – and perhaps a programmatic agreement between several state, federal and private entities. We also note that the State Historic Preservation Office has encouraged the Utah Division of Oil, Gas and Mining on multiple occasions to solicit public involvement: "Given the high public interest in this project, and the overall size of the potential effects, I recommend that the public be more involved than is usual. . . . Let's define 'the public' based on the interested parties (more than just USAS, probably also members of the towns of Alton, and the surrounding area, tribes, as well as other citizens of the state. . . . The public should be consulted early and often." See Technical Memorandum, Coal Hollow, Alton Coal Development LLC, Coal Hollow Mine, C/025/0005 Task #2910 at 6 (May 8, 2008). See *id.* at 7 ("The CRMP needs to include a public involvement plan that [m]akes efforts to fully define and identify stakeholders (beyond USAS) who have interests in the cultural resources in this project area. This needs to start at the beginning of the project, not at Phase III.") (emphasis added).

SUWA is non-profit, 15,000 member environmental organization dedicated to the preservation of Utah's wild lands and has been involved in such protection for approximately nineteen years. SUWA is recognized to have expertise in matters of preservation and public land

File in:
C/025/0005 2008 Incoming
Refer to:
☐ Confidential
☐ Shelf
☒ Expandable
Date 5/22/08 For additional information

RECEIVED

MAY 22 2008

DIV. OF OIL, GAS & MINING

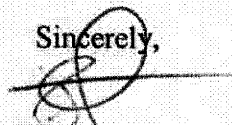
law. We are frequently solicited for comment on such issues by local and national media, as well as various federal agencies. We have offices in Washington D.C., Moab, and Salt Lake City, and have five attorneys trained in public land law.

- SUWA has been actively involved in cultural and historic resource protection for many years. In 2002, SUWA published a report entitled "Preserving Prehistory," which discussed some of the most pressing threats at that time to cultural and historic properties. A copy of the report is available at SUWA's website:
http://www.suwa.org/page.php?page_name=Camp_Ancient_Home. In addition, SUWA has been at the forefront of National Historic Preservation Act litigation and works closely with various state and federal agencies, as well as Indian tribes and other non-profit organizations to ensure that cultural and historic properties are given the full protections authorized by federal law.
- Many members of SUWA live within a few hours of the permit and adjacent area and frequently visit the area to view and appreciate the cultural and historic properties that may be adversely affected by the proposed coal mining operations.
- SUWA was recently made a consulting party by the Division for that agency's Section 106 compliance efforts regarding the proposed Lila Canyon coal mine in Emery County.

Because of SUWA's detailed understanding of the Section 106 process, our familiarity with historic and cultural properties in the greater Alton and Panguitch areas, and our understanding of the potential damaging impacts that coal mining operations can have to those properties, we believe that SUWA can provide the Division and the Bureau of Land Management with important information and a valuable perspective as a consulting party under Section 106.

We look forward to participating as a consulting party as the review and consultation process move forward for the Coal Hollow Permit Application (Division) and Federal Coal Lease Application (BLM). Feel free to contact me with any questions that you may have about SUWA's request for consulting party status: (801) 486-3161 x.3981.

Sincerely,



Stephen Bloch
Staff Attorney

cc: Lori Hunsaker, Public Lands Policy Coordination Office
Matt Seddon, State Historic Preservation Office
Barbara Pahl, National Trust for Historic Preservation

0071

gk Incoming
C/025/0005

From: "barbara sheen" <brycetp@color-country.net>
To: <daronhaddock@utah.gov>
Date: 5/15/2008 6:47 PM
Subject: project number C/025/0005

dear mr haddock,

I am writing this to protest the mining & trucking operation being considered for alton.

why are all of the hearings being held in kane county?

while they will get the benefits, in terms of taxes & jobs, it is garfield county that will pay the costs; in terms of noise & pollution & damage to our roads & tourism.

there should be a large & well advertised hearing in panguitch.

these huge, heavy coal trucks running up & down us 89 at all hours would be terrible. I live just off of 89 on hwy 12 & own a business here. hwy 12 was a designated scenic byway, upgraded to an all american highway, the only one in utah.

it is now listed in the federal register as a destination unto itself. the turnoff from 89 to 12 is badly signed & difficult to turn onto. these huge trucks on your tail will only make that worse.

tourists come from all over the world to enjoy our scenery, our clear skies & quiet rural lifestyle. is the loud, incessant rumbling of these constant trucks consistent with any of that? our skies are the clearest in the country. how long will that last with this mining & trucking operation?

I think this deserves far more discussion than it seems to be getting.

barbara sheen

0072

*Incoming
C/025/0005*

From: <btjamurphy@aol.com>
To: <daronhaddock@utah.gov>
Date: 5/15/2008 6:49 PM
Subject: Coal HOLLOW project/Alton Coal Development LLC Project #C/025/0005

It is hard to believe that the government will aid and abet the development of a new coal mine in one of the pristine and most beautiful areas in the United States. It is well known the damage that coal mining causes and the fact that 200 to 300 double trucks will travel down a street in the center of an historic district is appalling. I understand that we need to add to our energy needs, but to do it to the detriment of prized parkland and historic areas is unnecessary. There are many other coal deposits in the United States, in areas where the availability of jobs would be an asset to the community. This is not such an area - one already designated a beautiful and historic place. I would hope that the government of Utah and the BLM would protect this nationally noteworthy area and deny the necessary permission for the establishment of the coal mine.

Sincerely, Judith A. Murphy?? 70 Springstone Hollow, Mertztown, Pa. 19539. I vacation in the Panguitch area.

0077

*rk Incoming
C/025/0005*

From: "Claaron" <clairenaaron@msn.com>
To: <daronhaddock@utah.gov>
Date: 5/17/2008 9:53 AM
Subject: Do NOT Approve the Alton Coal Mine

Regarding: The proposed Alton Coal Mine (ref C/025/0005)

To Whom It May Concern,

As a land owner in both Kane County and Iron County I would like to express my grave concerns regarding the proposed Alton Coal Mine (ACM). This project should NOT be approved. This area of the country is yet unmarred by the impact of projects such as this one. If we allow projects such as the Alton Coal Mine to move forward, we will forfeit the great economic potential of this area.

The economic boom that this area recently experienced (and will again) was due to an influx of people interested in the beauty and tranquility of the area. They wish to come where the air is clean, the stars still shine, and to a place where they can still wander in and wonder at God's great works. These are both people who visit the National Park treasures of this country (spending their money along the way) and the folks who want to build a life and reside where families can still thrive without the overstimulation of modern times. Even in hard economic times such as these, we can enjoy the international economy that will take advantage of the low dollar to see the world renown beauty of the area. Once Southern Utah adopts the traits of the rest of citified/industrialized USA hometown, there will be nothing left to make it stand out.

My reasons to NOT approve the Alton Coal Mine include:

Coal and Mining Dust: Even with the current techniques and safeguards used by the giant mining companies who can afford the best of everything, those even miles away complain bitterly about the dust in the air that their children breath, that they have to clean from their houses every day, and that pollute the skies every day. Bryce Canyon National Park prides itself on its air quality and the wind will carry the ACM's dust right through the park. It will create another scar across the sky just as the power plant by Navajo Mountain does each day. Some of this dust will settle on the orange and white hues for which the park is famous for and take away from the grandeur and beauty of the park.

Water: The coal mine will require water to facilitate its processes. Where will that water come from? Water is already a critical

concern to the communities in the area. What has been done to study where that water will pull from and how that will affect the existing rights. If water has been held in the ground in one area and that area is unnaturally tapped and released then water will run down to fill that area again. That water that "re-fills" those areas, where will it come from? Those who already have rights to water in the area need to be very concerned regarding the impact of ACM's operation and it's long term affects on their water supplies. Of what quality will the water be that runs from the mine? What will Kanab's children be drinking from? The Powell Pipeline is a joke. It will not save us. Lake Powell's water is already dangerously to the overuse point through all of its obligations to much larger populations.

Night Skies: The affect of a 24 hour operation means light and that means light pollution at night. Mines are notorious for the huge arrays of light required for safety. This light will glare out the wondrous band of the milky way. I have visited 42 states and none have compared to the grandeur of this one. Again, the starry skies are one of the prides and attractions of this area. We will suffer if that too is eaten away.

Noise: The noise of this mine (blasting, heavy equipment, trucks, etc.) will drive the wildlife from the area. This will include the famous hunting grounds of the Paunsaugunt Plateau. The hunters who take pride in this special draw district expressed their dismay about the potential of the area being mined during their Cedar City, Christmas gathering. For the same reasons these folks expressed their dismay at how it would affect their recreation in the land surrounding the area. Again, there are not many places in the country where the silence is so true. Something else that we will lose.

Endangered Species: I know of a bald eagle that comes to the area each spring. In fact I have a photograph of it just a couple of miles from that area. What other endangered species habitats will be jeopardized?

The Miners: Who are these guys? I understand that they are just a couple of guys who have been mining for years that decided to try it on their own. What are their credentials? Who has investigated their safety and ethics records? Who will be the geologist to guide them in their digging? What is their financing to back the project? I understand that one of their members already moved on? I already have a bad taste for their ethics by the map that was published regarding the mine. First it was published very quietly in less well known newspapers. Secondly, if they didn't have anything to hide or be concerned about, why not publish a map with the mine centered on the map. Instead they chose to place the map carefully askew. That act alone lets me know two things. One, that the mine is going to negatively impact us and they are trying to hide it from us. Two, that they will do what it takes to line their own pockets at the cost of the locals who want this to be a permanent home.

Restoration: They claim that they will restore the land to its original condition. How are they going to recreate pink cliffs? How are they going to recreate God's work? Smooth rolling hills is not original condition. They will drastically change how the water flows and how vegetation will and won't grow. Thus they will change the habitats of all species there now. That is not original condition. In addition, mines commonly play tricks to avoid this. Mines will pretend to be open such as Ticaboo craftily avoiding this costly expense. Judging from the groundwork

laid by the proposed mine organizers, they may well try this tactic as well-keeping on one or two employees as administrators/security to avoid the cost of finishing what they started.

Roads: The trucks from the proposed mine will run night and day on twisting and winding roads, dark country roads. Police records indicate that accidents involving this type of vehicle are typically fatal. The weight of these trucks will excessively wear and tear the local roads. Who is going to pay for that excessive wear and tear? The pollution from the trucks will add another layer of filth and noise to the area. Who will pay for the costs suffered by folks who will be impacted by the trucks?

Lack of Jobs: Some argue that the mine will bring jobs to the area. I've heard that it will bring only 50 jobs AND that the mine makes no promises to any of the locals. The proposed mine organizers were quoted as saying, "These are not pick and shovel jobs." That they will advertise extensively to hire the best qualified candidates and that the qualifications will include a high level of technical knowledge. Again, the locals will pay all the costs and reap very few benefits.

Land Value: Land value does not increase around mining operations unless it is directly related to the mining. Property values in the surrounding area will go down or will accelerate at a definitively lower rate than non-mining areas. I've never heard anyone who is not a miner that is excited to move to or near a mining town.

National Concern: The proposed mine is a national concern as it resides on National land. This project should be advertised nationally to let all tax payers provide a response. I don't want to tell someone what to do in their own backyard, but this is the Nation's backyard.

Environmental Impact Study: A full and complete environmental impact study must be completed and published publically before this project is considered further.

People don't live here in this part of the country because it offers great money or because it's easy. Folks live here for the rich history, the family life, the beauty, the recreation, the freedom from pollutions of all types, and the tranquility. Keep the attractions of Utah intact, keep the families here, keep the business of tourism in the area flowing. Utah will never compete with the big business of the cities of the coasts. The infrastructure is simply not there and will cost too much to implement. But the infrastructure of beauty is already in place at no cost-we just have to not mess it up. We can all benefit by keeping this area the beauty destination that it is and enjoy the benefits of all the money all those folks want to spend visiting us.

I demand that a public hearing be held so that these issues can be further researched and discussed.

It would be a disastrous step in the wrong direction to approve the proposed Alton Coal Mine. Please do NOT approve the Alton Coal Mine project. It will line the pockets of a handful of people and cost the rest of us dearly.

Respectfully,

Aaron Cleveland

Cedar City, UT

0078

*rk Incoming
C/025/0005*

From: "Danielle Bass" <danibass@cedarbreakslodge.org>
To: <daronhaddock@utah.gov>
Date: 5/17/2008 10:12 AM
Subject: The proposed Alton Coal Mine (ref C/025/0005)

Regarding: The proposed Alton Coal Mine (ref C/025/0005)

To Whom It May Concern,

As a land owner in Iron County I would like to express my grave concerns regarding the proposed Alton Coal Mine (ACM). This project should NOT be approved. This area of the country is yet unmarred by the impact of projects such as this one. If we allow projects such as the Alton Coal Mine to move forward, we will forfeit the great economic potential of this area.

The economic boom that this area recently experienced (and will again) was due to an influx of people interested in the beauty and tranquility of the area. They wish to come where the air is clean, the stars still shine, and to a place where they can still wander in and wonder at God's great works. These are both people who visit the National Park treasures of this country (spending their money along the way) and the folks who want to build a life and reside where families can still thrive without the overstimulation of modern times. Even in hard economic times such as these, we can enjoy the international economy that will take advantage of the low dollar to see the world renown beauty of the area. Once Southern Utah adopts the traits of the rest of citified/industrialized USA hometown, there will be nothing left to make it stand out.

My reasons to NOT approve the Alton Coal Mine include:

* Coal and Mining Dust: Even with the current techniques and safeguards used by the giant mining companies who can afford the best of everything, those even miles away complain bitterly about the dust in the air that their children breath, that they have to clean from their houses every day, and that pollute the skies every day. Bryce Canyon National Park prides itself on its air quality and the wind will carry the ACM's dust right through the park. It will create another scar across the sky just as the power plant by Navajo Mountain does each day.

Some of this dust will settle on the orange and white hues for which the park is famous for and take away from the grandeur and beauty of the park.

* **Water:** The coal mine will require water to facilitate its processes. Where will that water come from? Water is already a critical concern to the communities in the area. What has been done to study where that water will pull from and how that will affect the existing rights. If water has been held in the ground in one area and that area is unnaturally tapped and released then water will run down to fill that area again. That water that "re-fills" those areas, where will it come from? Those who already have rights to water in the area need to be very concerned regarding the impact of ACM's operation and it's long term affects on their water supplies. Of what quality will the water be that runs from the mine? What will Kanab's children be drinking from? The Powell Pipeline is a joke. It will not save us. Lake Powell's water is already dangerously to the overuse point through all of its obligations to much larger populations.

* **Night Skies:** The affect of a 24 hour operation means light and that means light pollution at night. Mines are notorious for the huge arrays of light required for safety. This light will glare out the wondrous band of the milky way. I have visited 42 states and none have compared to the grandeur of this one. Again, the starry skies are one of the prides and attractions of this area. We will suffer if that too is eaten away.

* **Noise:** The noise of this mine (blasting, heavy equipment, trucks, etc.) will drive the wildlife from the area. This will include the famous hunting grounds of the Paunsaugunt Plateau. The hunters who take pride in this special draw district expressed their dismay about the potential of the area being mined during their Cedar City, Christmas gathering. For the same reasons these folks expressed their dismay at how it would affect their recreation in the land surrounding the area. Again, there are not many places in the country where the silence is so true. Something else that we will lose.

* **Endangered Species:** I know of a bald eagle that comes to the area each spring. In fact I have a photograph of it just a couple of miles from that area. What other endangered species habitats will be jeopardized?

* **The Miners:** Who are these guys? I understand that they are just a couple of guys who have been mining for years that decided to try it on their own. What are their credentials? Who has investigated their safety and ethics records? Who will be the geologist to guide them in their digging? What is their financing to back the project? I understand that one of their members already moved on? I already have a bad taste for their ethics by the map that was published regarding the mine. First it was published very quietly in less well known newspapers. Secondly, if they didn't have anything to hide or be concerned about, why not publish a map with the mine centered on the map. Instead they chose to place the map carefully askew. That act alone lets me know two things. One, that the mine is going to negatively impact us and they are trying to hide it from us. Two, that they will do what it takes to line their own pockets at the cost of the locals who want this to be a

permanent home.

* Restoration: They claim that they will restore the land to its original condition. How are they going to recreate pink cliffs? How are they going to recreate God's work? Smooth rolling hills is not original condition. They will drastically change how the water flows and how vegetation will and won't grow. Thus they will change the habitats of all species there now. That is not original condition. In addition, mines commonly play tricks to avoid this. Mines will pretend to be open such as Ticaboo craftily avoiding this costly expense. Judging from the groundwork laid by the proposed mine organizers, they may well try this tactic as well-keeping on one or two employees as administrators/security to avoid the cost of finishing what they started.

* Roads: The trucks from the proposed mine will run night and day on twisting and winding roads, dark country roads. Police records indicate that accidents involving this type of vehicle are typically fatal. The weight of these trucks will excessively wear and tear the local roads. Who is going to pay for that excessive wear and tear? The pollution from the trucks will add another layer of filth and noise to the area. Who will pay for the costs suffered by folks who will be impacted by the trucks?

* Lack of Jobs: Some argue that the mine will bring jobs to the area. I've heard that it will bring only 50 jobs AND that the mine makes no promises to any of the locals. The proposed mine organizers were quoted as saying, "These are not pick and shovel jobs." That they will advertise extensively to hire the best qualified candidates and that the qualifications will include a high level of technical knowledge. Again, the locals will pay all the costs and reap very few benefits.

* Land Value: Land value does not increase around mining operations unless it is directly related to the mining. Property values in the surrounding area will go down or will accelerate at a definitively lower rate than non-mining areas. I've never heard anyone who is not a miner that is excited to move to or near a mining town.

* National Concern: The proposed mine is a national concern as it resides on National land. This project should be advertised nationally to let all tax payers provide a response. I don't want to tell someone what to do in their own backyard, but this is the Nation's backyard.

* Environmental Impact Study: A full and complete environmental impact study must be completed and published publically before this project is considered further.

People don't live here in this part of the country because it offers great money or because it's easy. Folks live here for the rich history, the family life, the beauty, the recreation, the freedom from pollutions

of all types, and the tranquility. Keep the attractions of Utah intact, keep the families here, keep the business of tourism in the area flowing. Utah will never compete with the big business of the cities of the coasts. The infrastructure is simply not there and will cost too much to implement. But the infrastructure of beauty is already in place at no cost-we just have to not mess it up. We can all benefit by keeping this area the beauty destination that it is and enjoy the benefits of all the money all those folks want to spend visiting us.

I demand that a public hearing be held so that these issues can be further researched and discussed.

It would be a disastrous step in the wrong direction to approve the proposed Alton Coal Mine. Please do NOT approve the Alton Coal Mine project. It will line the pockets of a handful of people and cost the rest of us dearly.

Respectfully,

Danielle Bass

Front Desk Supervisor

Cedar Breaks Lodge & Spa

PH: 435-677-3000

FAX:435-677-4275

danibass@cedarbreakslodge.org <<mailto:danibass@cedarbreakslodge.org>>

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. This communication may contain material protected by the attorney-client privilege. If you are not the intended recipient or the person responsible for delivering the e-mail to the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify the Information Technology department by telephone at (949) 609-2517. You will be reimbursed for reasonable costs incurred in notifying us.

0080

*Incoming
C/025/0005*

From: "Panguitch Anglers" <bigfish@color-country.net>
To: <daronhaddock@utah.gov>
Date: 5/17/2008 8:35 PM
Subject: Alton Coal Mine/Coal Hollow Project

To whom it may concern,

Thank you for the opportunity to comment on the proposed project near Alton, Utah. Project # C/025/0005.

I traveled to this area for many years and now reside at The Cottonwood Meadow Lodge on Highway 89 about 5 miles north of the town of Hatch, Utah.

As I'm sure you are aware that the major industry in Garfield County is Tourism. Our guests, all who are here to visit the National Parks or fly fish in our beautiful streams comment as to " How peaceful it is here, How quiet it is here, How dark are our night skies, How clear and blue the skies are throughout the day ". I often wonder what they will say in a few years if this project is approved.

They come from all across our country. And they come because we have something unique. They leave their polluted skies behind. And come to what is well know as the cleanest skies in the United States. When I tell them of the proposed project they stand in disbelief and ask WHY? And I ask why?

Yesterday I spent the day in our beautiful Bryce Canyon National Park with some guests. As we were there we read the words of Chief Seattle. He stated that the reason the Indian people were so reluctant to give us the land was that they knew we did not appreciate it and we would soon destroy it. Need I say that with many parts of our country his words could not have been more true. Are they soon to become true here is Southern Utah. Then at the next view area the words were read to me " you can take away anything but you can take away our dark skies ".

For decades people have stressed that we must protect our environment. Has it not been proven that we are destroying it each time we fire up a coal fired power plant.

Are the alternatives not clear!

Thank you,
Jerry and Jan Drummond
www.cottonwoodmeadowlodge.com

0081

incoming
C/025/0005

From: Kurtis Sherwood <kurtsherwood@msn.com>
To: <daronhaddock@utah.gov>
Date: 5/17/2008 9:56 PM

Regarding: The proposed Alton Coal Mine (ref C/025/0005)

To Whom It May Concern,

As a land owner in both Kane County and Iron County I would like to express my grave concerns regarding the proposed Alton Coal Mine (ACM). This project should NOT be approved. This area of the country is yet unmarred by the impact of projects such as this one. If we allow projects such as the Alton Coal Mine to move forward, we will forfeit the great economic potential of this area.

The economic boom that this area recently experienced (and will again) was due to an influx of people interested in the beauty and tranquility of the area. They wish to come where the air is clean, the stars still shine, and to a place where they can still wander in and wonder at God's great works. These are both people who visit the National Park treasures of this country (spending their money along the way) and the folks who want to build a life and reside where families can still thrive without the overstimulation of modern times. Even in hard economic times such as these, we can enjoy the international economy that will take advantage of the low dollar to see the world renown beauty of the area. Once Southern Utah adopts the traits of the rest of citified/industrialized USA hometown, there will be nothing left to make it stand out.

My reasons to NOT approve the Alton Coal Mine include:

- Coal and Mining Dust: Even with the current techniques and safeguards used by the giant mining companies who can afford the best of everything, those even miles away complain bitterly about the dust in the air that their children breath, that they have to clean from their houses every day, and that pollute the skies every day. Bryce Canyon National Park prides itself on its air quality and the wind will carry the ACM's dust right through the park. It will create another scar across the sky just as the power plant by Navajo Mountain does each day. Some of this dust will settle on the orange and white hues for which the park is famous for and take away from the grandeur and beauty of the park.

- Water: The coal mine will require water to facilitate its processes. Where will that water come from? Water is already a critical concern to the communities in the area. What has been done to study where that water will pull from and how that will affect the existing rights. If water has been held in the ground in one area and that area is unnaturally tapped and released then water will run down to fill that area again. That water that "re-fills" those areas, where will it come from? Those who already have rights to water in the area need to be very concerned regarding the impact of ACM's operation and it's long term affects on their water supplies. Of what quality will the water be that runs from the mine? What will Kanab's children be drinking from? The Powell Pipeline is a joke. It will not save us. Lake Powell's water is already dangerously to the overuse point through all of its obligations to much larger populations.

• **Night Skies:** The affect of a 24 hour operation means light and that means light pollution at night. Mines are notorious for the huge arrays of light required for safety. This light will glare out the wondrous band of the milky way. I have visited 42 states and none have compared to the grandeur of this one. Again, the starry skies are one of the prides and attractions of this area. We will suffer if that too is eaten away.

• **Noise:** The noise of this mine (blasting, heavy equipment, trucks, etc.) will drive the wildlife from the area. This will include the famous hunting grounds of the Paunsaugunt Plateau. The hunters who take pride in this special draw district expressed their dismay about the potential of the area being mined during their Cedar City, Christmas gathering. For the same reasons these folks expressed their dismay at how it would affect their recreation in the land surrounding the area. Again, there are not many places in the country where the silence is so true. Something else that we will lose.

• **Endangered Species:** I know of a bald eagle that comes to the area each spring. In fact I have a photograph of it just a couple of miles from that area. What other endangered species habitats will be jeopardized?

• **The Miners:** Who are these guys? I understand that they are just a couple of guys who have been mining for years that decided to try it on their own. What are their credentials? Who has investigated their safety and ethics records? Who will be the geologist to guide them in their digging? What is their financing to back the project? I understand that one of their members already moved on? I already have a bad taste for their ethics by the map that was published regarding the mine. First it was published very quietly in less well known newspapers. Secondly, if they didn't have anything to hide or be concerned about, why not publish a map with the mine centered on the map. Instead they chose to place the map carefully askew. That act alone lets me know two things. One, that the mine is going to negatively impact us and they are trying to hide it from us. Two, that they will do what it takes to line their own pockets at the cost of the locals who want this to be a permanent home.

• **Restoration:** They claim that they will restore the land to its original condition. How are they going to recreate pink cliffs? How are they going to recreate God's work? Smooth rolling hills is not original condition. They will drastically change how the water flows and how vegetation will and won't grow. Thus they will change the habitats of all species there now. That is not original condition. In addition, mines commonly play tricks to avoid this. Mines will pretend to be open such as Ticaboo craftily avoiding this costly expense. Judging from the groundwork laid by the proposed mine organizers, they may well try this tactic as well—keeping on one or two employees as administrators/security to avoid the cost of finishing what they started.

• **Roads:** The trucks from the proposed mine will run night and day on twisting and winding roads, dark country roads. Police records indicate that accidents involving this type of vehicle are typically fatal. The weight of these trucks will excessively wear and tear the local roads. Who is going to pay for that excessive wear and tear? The pollution from the trucks will add another layer of filth and noise to the area. Who will pay for the costs suffered by folks who will be impacted by the trucks?

• **Lack of Jobs:** Some argue that the mine will bring jobs to the area. I've heard that it will bring only 50 jobs AND that the mine makes no promises to any of the locals. The proposed mine organizers were quoted as saying, "These are not pick and shovel jobs." That they will advertise extensively to hire the best qualified candidates and that the qualifications will include a high level of technical knowledge. Again, the locals will pay all the costs and reap very few benefits.

• **Land Value:** Land value does not increase around mining operations unless it is directly related to the mining. Property values in the surrounding area will go down or will accelerate at a definitively lower rate than non-mining areas. I've never heard anyone who is not a miner that is excited to move to or near a mining town.

• **National Concern:** The proposed mine is a national concern as it resides on National land. This

project should be advertised nationally to let all tax payers provide a response. I don't want to tell someone what to do in their own backyard, but this is the Nation's backyard.

Environmental Impact Study: A full and complete environmental impact study must be completed and published publically before this project is considered further.

People don't live here in this part of the country because it offers great money or because it's easy. Folks live here for the rich history, the family life, the beauty, the recreation, the freedom from pollutions of all types, and the tranquility. Keep the attractions of Utah intact, keep the families here, keep the business of tourism in the area flowing. Utah will never compete with the big business of the cities of the coasts. The infrastructure is simply not there and will cost too much to implement. But the infrastructure of beauty is already in place at no cost—we just have to not mess it up. We can all benefit by keeping this area the beauty destination that it is and enjoy the benefits of all the money all those folks want to spend visiting us.

I demand that a public hearing be held so that these issues can be further researched and discussed.

It would be a disastrous step in the wrong direction to approve the proposed Alton Coal Mine. Please do NOT approve the Alton Coal Mine project. It will line the pockets of a handful of people and cost the rest of us dearly.

Respectfully,

Kurt and Teresa Sherwood

Cedar City, UT

Give to a good cause with every e-mail. Join the i'm Initiative from Microsoft.
http://im.live.com/Messenger/IM/Join/Default.aspx?souce=EML_WL_GoodCause

0083

JK Incoming
C/025/0005

From: sas <sandsn@color-country.net>
To: <daronhaddock@utah.gov>
Date: 5/21/2008 4:29 PM
Subject: C/025/0005

Sir,

Concerning the coal mine in Alton. I (we, my family and I) are very concerned about the possibility of this mine. We do not support this, we feel it would be a disaster for the Park Service, the residents of Garfield County, and the tourist industry. We want our peace and quiet, clean air and safe roads. We feel the coal industry is something that needs to be reinvented.

I feel that this letter may land on deaf ears as most of these types of decisions are made without the opinion of the people most affected.

Thank You,

Susan & Scott Nelson
PO Box 660
Escalante, Ut 84726

Escalante Rock Shop
475 Wide Hollow Reservoir Road
Escalante, Utah 84726

Escalantees
23 West Main
Escalante, Utah 84726

(5/27/2008) OGMCOAL - C/025/0005

Page 1

0083

9K Incoming
C/025/0005

From: sas <sandsn@color-country.net>
To: <daronhaddock@utah.gov>
Date: 5/21/2008 4:29 PM
Subject: C/025/0005

Sir,

Concerning the coal mine in Alton. I (we, my family and I) are very concerned about the possibility of this mine. We do not support this, we feel it would be a disaster for the Park Service, the residents of Garfield County, and the tourist industry. We want our peace and quiet, clean air and safe roads. We feel the coal industry is something that needs to be reinvented.

I feel that this letter may land on deaf ears as most of these types of decisions are made without the opinion of the people most affected.

Thank You,

Susan & Scott Nelson
PO Box 660
Escalante, Ut 84726

Escalante Rock Shop
475 Wide Hollow Reservoir Road
Escalante, Utah 84726

Escalantees
23 West Main
Escalante, Utah 84726

(5/27/2008) OGMCOAL - Alton Coal Mine permit # C/025/005

Page 1

0084

Handwritten:
Incoming
c/025/0005

From: "Kevin Poe" <iamthedarkranger@gmail.com>
To: <daronhaddock@utah.gov>
CC: <broncobobbi@gmail.com>
Date: 5/21/2008 7:22 PM
Subject: Alton Coal Mine permit # C/025/005

Mr. Haddock,

Please allow me to register my extreme opposition to the Alton Coal Mine permit for the proposed mine just north of Kanab Utah. For the past nine years my family and I have lived in Tropic Utah. I've been a resident of Southern Utah for most of my 36 years on this planet. I understand and sympathize with those looking to improve our regional economy but the Alton Coal Mine will not accomplish that. Indeed, instead it is likely to hurt our economy and not just in the long run -- the hurt will begin almost immediately!

Those behind this coal mine care nothing for our local economy (in spite of the 30-40 truck driver jobs it may create) as is abundantly evident by the key information and calculations they leave out of their permit and that your agency team apparently didn't investigate as part of the NEAP process. These include congestion and wear and tear to our highways, displacing thousands of paying visitors from the region, downwind pollution, and global climate change. As you must realize these are the real issues that concern us here in Garfield County and to the extent you ignore them, you ignore us!

Destruction of our Highways!

Trucking coal uphill at the proposed rate of one 40 ton truck every 120 seconds through Panguitch is insane! Imagine the extreme safety hazard these trucks will make for winter driving conditions. Highway 20 and especially Highway 89 was never designed for that kind of abuse that a continuous stream of 40 ton vehicles will create. The roads will quickly fall apart. And who will pay for these highway rebuilds? Me the taxpayer. I know that the corporate overlords of the Alton Coal Mine will not contribute a dime to the mess their truck will cause. Why? Because they won't have to pay above and beyond the taxes (both federal and state) per gallon of diesel they buy. Which of course is TOTALLY not fair to the rest of us, because even though we may get more miles per gallon in our cars and trucks, our vehicles don't create 1/10 the impact that 40 ton trucks will!

Now consider how 1 truck every 120 seconds will make it difficult even to cross the street in Panguitch! We will need to change the red flashing light to a regular street light just so people will be able to walk in their town. Perhaps we will need more than one? And of course that full traffic light(s) will be the first one in our entire 5000 square mile county, forever changing both symbolically and actually, the rural character of our county that is simultaneously the reason most of us live here AND the reason millions come to visit us from all over the world, which gives us our currently healthy tourism economy.

Impact to Tourism

So, worse yet all this coal truck traffic on Highway 89 will be a huge deterrent to the millions of domestic and international visitors that come to visit the Bryce Canyon region. With so much heavy truck traffic struggling up and down Hwy 89 and Hwy 20 the word will soon get out that

(5/27/2008) OGMCOAL - Alton Coal Mine permit # C/025/005

Page 2

it's not worth the trouble to see Bryce after visiting Zion and instead many will stay on the interstates and go directly on to Arches and Canyonlands. True, I am a park ranger at Bryce Canyon so my bias is obvious, but as such, I strive to strengthen this tourism economy and protect it from being spoiled. Keep in mind that Garfield County's 2 biggest employers are Bryce Canyon National Park and Ruby's Inn. Indeed most of our economy is a tourism economy. What we may gain with the Alton Coal mine (30-40 truck drivers) we will lose 10 times that many jobs from our tourism economy as these trucks drive the visitors away! -- all puns intended.

As an astronomer / ranger I can assure you that 30,000 people a year come to see Bryce Canyon's world famous night sky. Every single one of those visitors has to say overnight somewhere in the immediate vicinity. The quality of our darkness directly relates to our tourism economy. The first time the Alton Coal Mine was stopped back in the 1980s it was mostly do to the fact that the site was going to be in direct line of sight of Bryce Canyon National Park. Even though the new site is around the corner of a ridge it will nevertheless negatively impact the beauty of our night sky both in terms of light pollution and the dust generated by the extraction and pre-processing of the coal at the mine. As has been documented many times over, dust and even light pollution do not require direct line of site to mar the sky for many miles in all directions. Again is losing any of these 30,000 overnight stays worth 30-40 truck driver jobs that may or may not come from our communities?

Down Wind Pollution

Your study also seems to avoid the question as to where the coal will be burned? Why is that not known precisely? Again perhaps that's not the BLM's legal authority to question BUT nevertheless a complete betrayal of the public trust not to provide us with that information, when we are trying to determine whether to support this proposal or not.

This is of paramount importance because the coal in question is sub-bituminous in quality which means its only slightly better than peat in terms of its energy production versus ash content. While it may be low in sulfur that in the lesser of many evils. The industry calls it clean coal only because it is low in Sulfur. What about Mercury? Was the coal tested for that? If so why wasn't that content published? What about Uranium? "Clean Coal" is like "healthy bacon." There is NO SUCH THING -- just degrees of lies!

I happen to know that this coal does contain a lot of uranium as do all Mesozoic age rocks in Utah but especially coal because uranium is so water soluble and coal forms in bogs. If as speculated the coal will be burned near Las Vegas (if it wasn't going to be they would truck it downhill, which makes a lot more sense, especially during winter driving conditions to the Navajo Station) that means that the prevailing winds will be sending all of this uranium back on top of us Southern Utah citizens. We have already suffered enough cancer and other genetic disease thanks to the Nevada Test Site, we don't need anymore radiation in our part of the world! It is a well known, although a suppressed secret, that coal plants are not regulated for their uranium output at all. Indeed one study indicates that the average coal plant puts 3-4 times the amount of radioactive material into the air as does a modern nuclear plant of the same energy production!

(5/27/2008) OGMCOAL - Alton Coal Mine permit # C/025/005

Page 3

Global Climate Change

First of all trucking coal is very inefficient and creates a double carbon footprint. Think about it?! It is nothing more than burning high quality fossil fuel to move very low quality fossil fuel -- absolute short-sighted, planet-aping stupidity! A single gallon of diesel can move 40 tons 40 miles by rail. The proposed coal trucks (don't forget traveling up hill) will get less than 5 miles per gallon! Apparently the parent company of this coal mine has already determined that there's not enough coal there of good enough quality to bother with putting in rails otherwise like the Navajo coal mine and Power Station they would be proposing trains as the smarter option to trucks. However I suspect that the coal company would not want to lay down tracks because they would have to pay for that construction. Instead they are choosing to profit from and exploit our hard earned tax dollars that will pay for their transportation costs by using our roads to get rich.

Do we really even need this coal as part of our energy grid at the huge expense of the carbon production created? King Coal will of course tell you yes because they have cornered the market on coal to the exclusion of wind and solar generation stations. While it maybe true that we do need oil to make our cars go, we most certainly DO NOT need coal to supply our homes and business with electricity. Our part of North America is the best imaginable location for mass solar production and the second best in the country for wind generation. Ever notice how many sunny & windy days St. George and Cedar City have? That's where our electricity should be coming from. Do an EA or EIS on that and you'll have my support.

Until then, I am bitterly opposed to the Alton Coal Mine. Please add me to the long list of fellow citizens who feel as I do.

Kevin Poe
333 W 200 N
Tropic, UT 84776
435-679-8913

(5/27/2008) OGMCOAL - Coal Hollow Project - c/025/005

Page 1

0090

*OK Incoming
c/025/0005*

From: Eileen Chapman <chapmaneh@hotmail.com>
To: <daronhaddock@utah.gov>
Date: 5/22/2008 2:24 PM
Subject: Coal Hollow Project - c/025/005

I would like to express my opposition to the Coal Hollow Project.

I live on Highway 89, 4 miles north of Hatch and the impact of this project would be negative in many respects to the environment in this area. The Sevier River would be significantly impacted by the chemicals that come from this coal and therefore would severely hurt the fish in the river as well as the deer and antelope that water there. Not only would the wildlife be hurt, but the water quality for humans would be at risk since our water supplies come from this river. The air quality would hurt the beautiful birds, such as eagles, that fly over these lands. The pollution that would be a by-product of this mine would take away the wonderful night skies that can be enjoyed in this area, much like the skies in the rest of the nation have been ruined.

In addition, this mine would seriously hurt the tourism in this area with the coal trucks that would be traveling up and down the highway. It is difficult enough now with all the semi trucks to safely get in and out of one's driveway, let alone adding to the problem with all the coal trucks. The roads themselves would also suffer with the added traffic and the heavy loads of coal.

I urge you to conduct more specific and detailed tests and allow the results of such tests to be given to the public when considering this project. It is my understanding that this coal would not even be used for energy or fuel so I cannot understand how conservation and environmental issues would not be of the utmost importance to you or anyone else considering such a project.

Sincerely,

Eileen H. Chapman

Give to a good cause with every e-mail. Join the i'm Initiative from Microsoft.
http://im.live.com/Messenger/IM/Join/Default.aspx?souce=EML_WL_GoodCause

(5/27/2008) OGMCOAL - Alton Coal Mine permit #C/025/0005

Page 1

0093

Handwritten:
Incoming
C/025/0005

From: Carol Allison <carsquilt@hotmail.com>
To: <daronhaddock@utah.gov>
Date: 5/22/2008 4:44 PM
Subject: Alton Coal Mine permit #C/025/0005

Dear Mr. Haddock,

We are in extreme opposition to the Alton Coal Mine permit for the proposed mine just north of Kanab, Utah.

As property owners along Hwy 89 between Hatch and Panguitch since 2004 we are extremely against the operation of this proposed coal mine. We bought here in this area because of its beauty and rural influence.

Allowing the Alton Coal Mine to proceed will have an irreversible impact on this area. With tourism being the biggest employer in this area, many more jobs will be lost than the few that will come as a result of the coal mine.

The impact of the amount of coal trucks traveling Hwy 89 and 20 will be disastrous to all who live in the area and all who travel here. Imagine the extreme safety hazards for residents and visitors alike trying to walk across the streets in town, or trying to exit their own properties onto the highways with one coal truck every 120 seconds barreling along the highways! Not to mention the destruction of the highways themselves due to the coal trucks and the loads they carry. The environment will be heavily impacted by this decision and not for the better either.

Worse yet will be the destruction of the tourism of this area. The gross amount of coal truck traffic on Hwy 89 and 20 will be a huge deterrent to the millions of visitors that come to the area, especially to see Bryce Canyon National Park. Being a former travel professional I can guarantee that word will get out and many visitors will bypass this area to avoid the traffic of the coal trucks and the pollution they and the coal mine will generate. Thus the area losses will be great especially to the park system, area business' and the hotel and motel operators in this area. Property values will no doubt decline in the area and we are sure that many businesses' will be forced to close their doors when the visitors go elsewhere.

We remain in total opposition to the Alton Coal Mine. Please add our names to the long list of citizens who oppose this coal mine.

Sincerely,
Carol and Dennis Allison
5400 South 2650 East
Panguitch UT 84759

E-mail for the greater good. Join the i'm Initiative from Microsoft.
http://im.live.com/Messenger/IM/Join/Default.aspx?source=EML_WL_GreaterGood

(5/27/2008) OGMCOAL - Alton Coal Mine/Coal Hollow Project C/025/0005

Page 1

0095

*8/ Incoming
C/025/0005*

From: "Bobbi Bryant" <swi.utah@gmail.com>
To: <daronhaddock@utah.gov>
CC: <mnoel@xpressweb.com>
Date: 5/22/2008 5:52 PM
Subject: Alton Coal Mine/Coal Hollow Project C/025/0005

Dear Mr. Haddock - As a resident of Garfield County I want to express my opposition to the proposed strip coal mine in Alton, Utah. The reasons I am opposed to this coal mine is as follows, but more importantly, I do not believe the principals of this coal mine have communicated with us (we have not heard from anyone since Allen Childs was with the project). I know they met the requirements of posting the notice of their application in newspapers but, knowing that the residents of Garfield County will be directly affected by this mine why did they not post it in our local newspaper.

When we did talk with Mr. Childs we were told that this coal would be transported out of the state via rail in Cedar City and used for another source than energy as it was not the quality of coal that can generate energy. Many people supporting this mine feel it will be used for energy and it will stay in Utah. This needs to be clarified before permitting. Proper bore testing - I request proper and further testing be done in this proposed mine area to see what levels of mercury, selenium and other potential toxins are in the coal and how the blasting, cleaning and transporting the coal will affect all of us living in the surrounding areas, how particulate and coal dust will be contained, how our "100 year floods" will compromise the area and wash these toxins into local wells and streams. Kane County officials claim that Highway 89, Mormon Heritage Highway, can handle the additional 300 trucks daily but I feel they are erroneous in their statements. I am not professionally trained to disprove this but as a layman I can tell you, as I travel this highway, that there would be serious road damage creating hazards to those transporting the coal and others traveling the highway. Where has consideration been addressed regarding the tourist who slows down to take pictures along the highway of the beautiful scenery, sunrises and sunsets, those on bicycle or motorcycles and the RV's that do not go 65 miles per hour. Historically it has been proven that truckers will overburden their loads when they do not need to report to weigh stations. I see no proposal of weigh stations or any form or reporting that is being required that the trucks do not exceed the 40 tons they are reporting the trucks will carry in each load. I want to see actual studies and reports done that shows Highway 89 can handle the additional burden of weight and increased traffic. In those studies the safety of travelers (especially tourists) need to be addressed, how road repairs will be made and who will bear the costs of these repairs. Since the majority of the proposed route is in Garfield County I feel we taxpayers will be overburdened with the costs of these repairs and the inconvenience of road closures or one lane roads during these repairs. This needs to be addressed before permitting.

Economic impacts - Positive side - Alton Coal Mine told us they would be employing about 30 people at the mine plus the truck drivers. Since the Crandall Canyon mine closed there are plenty of unemployed, experienced miners who will be lining up to apply for the mining and driving jobs. From what I have been told the longevity of this mine is a maximum of 15 years but notoriously mining activity is for a shorter time frame. What happens to those people employed at the mines. Unemployment and economic devastation bhow is that positive? I have visited other mining towns and there has not been any increase in retail establishments or increase in

(5/27/2008) OGMCOAL - Alton Coal Mine/Coal Hollow Project C/025/0005

Page 2

property values - just the reverse. I do not see this as a positive economic move for either Kane or Garfield County. In 2006 87 million US residents (16 and over) participated in wildlife-related recreation. 12.5 million hunters, 30 million anglers and 71.1 million wildlife watchers. Garfield and Kane Counties attract people in all of these activities and the spending in 2006 was \$122 billion dollars throughout the US meaning that the State of Utah had to benefit from a large portion of those monies. The mine will be an economic detriment to these activities.

The small village of Alton does not have any commercial businesses yet the coal mine has appeased them by proposing an alternate route around the town to keep noise and traffic at a minimum. Why is this not being addressed in the towns of Hatch and Panguitch? We own a retail business in an historic building in Panguitch. The noise level and vibration from the increase of truck traffic we have had since the widening of Highway 20 is very noticeable. Frequently it is difficult to carry on a conversation with our customers because the truck noise is so loud. Many people make comments about this. It is hard to imagine what it would be like if you add 300 more trucks daily. Where has consideration been taken regarding the residents of Panguitch and Hatch, the negative impact the additional trucks will have to our tourism trade. Personally, most of my customers are visitors to the area to see Bryce Canyon. With the increase of truck traffic that visitor ship will drop as will our lodging and tourism tax. The monies coming from the mine will not economically equal or outweigh the income our county gets from tourism rather it will cause a decrease in income for our county. Right now 80% of the visitors coming to Bryce travel north from Zion. (The coal truck traffic will make it undesirable to travel this route and the visitor will then turn to the south through Kanab and to the North Rim. Who gains economically in this situation?) In order to get permitting to travel the existing proposed route monitors should be put on buildings and houses along the route to measure the noise decibel levels and what the vibration is doing to the wonderful, but soft, brick structures that make Panguitch a historical town and how these damages will be addressed or resolved. Highway 89 makes a "dog leg" at the flashing stop light in Panguitch and I watch the tandem trucks as they make the turn. They cannot make it from the proper turn lane and they cross over the yellow line into oncoming traffic. I believe that is illegal. How has that turning situation been addressed? It needs to be before permitting as does the other concerns regarding the traffic in these communities.

Transportation across Highway 20 - this highway has been greatly improved with the passing lanes, etc. but it is hazardous and difficult to travel during the winter months especially for trucks. When you consider a heavy tandem truck with 40 tons of coal driving in these icy conditions you can imagine the flip overs and accidents involving oncoming traffic, etc. Why haven't alternative ways of transporting this coal been taken into consideration (rail, pipeline, traveling down through Kanab and on to the railway).

Water and air quality studies need to be done presently and accounting needs to be taken into consideration regarding the control of pollution to our waterways and the air we breathe. Presently, Garfield County is in the top 30% in the US for clean air. The increase of truck traffic and the diesel fumes will pollute the air. The fine coal dust will pollute the air. This dust will seep into our waterways and aquifers and if the high levels of selenium and mercury are there we will find our water unfit for consumption. Just as we need energy to "turn on the lights" we need water to hydrate and nourish our bodies.

Bryce Canyon has seen a continual increase in overnight visitors who want to

(5/27/2008) OGMCOAL - Alton Coal Mine/Coal Hollow Project C/025/0005

Page 3

experience our incredible night skies. The amount of visitors for this activity last year was around 30,000. They stayed in motels, ate and shopped a positive impact on our local and state economy. We need to account for the monies from this activity and how the night skies will be impacted by a 24 hour a day strip mine operation - lights at the mine and on the trucks, the dust generated polluting the air, etc.

Thank you for taking these requests and concerns into consideration.

Vince Salvato

PO Box 172

Panguitch, UT 84759

--

Bobbi Bryant/SWI

877-609-6100

Fax 435-676-8519

swi.utah@gmail.com

(6/18/2008) OGMCOAL - Fwd: Alton Coal Mining Application

Page 1

0113

*OK Incoming
c/025/0005*

From: Priscilla Burton
To: Baza, John; Dean, Dana; OGMCOAL
CC: Haddock, Daron
Date: 6/18/2008 9:41 AM
Subject: Fwd: Alton Coal Mining Application
Place: OGMCOAL
Attachments: Alton Coal Mining Application

I will also forward to the Division of Air Quality.

(6/18/2008) OGMCOAL - Alton Coal Mining Application

Page 1

From: Erich Bretthauer <ebretthauer@cox.net>
To: <priscillaburton@utah.gov>
Date: 6/18/2008 7:35 AM
Subject: Alton Coal Mining Application
Attachments: Alton Application Objection

Dear Priscilla:

Attached are comments regarding the subject Application.

Erich Bretthauer
President, Bryce Meadows Development Corporation

June 17, 2008

Department of Natural Resources
Division of Oil, Gas and Mining
P.O. Box 145801
Salt Lake City, UT 84114-5801

Attention: Priscilla Burton, CPSSc

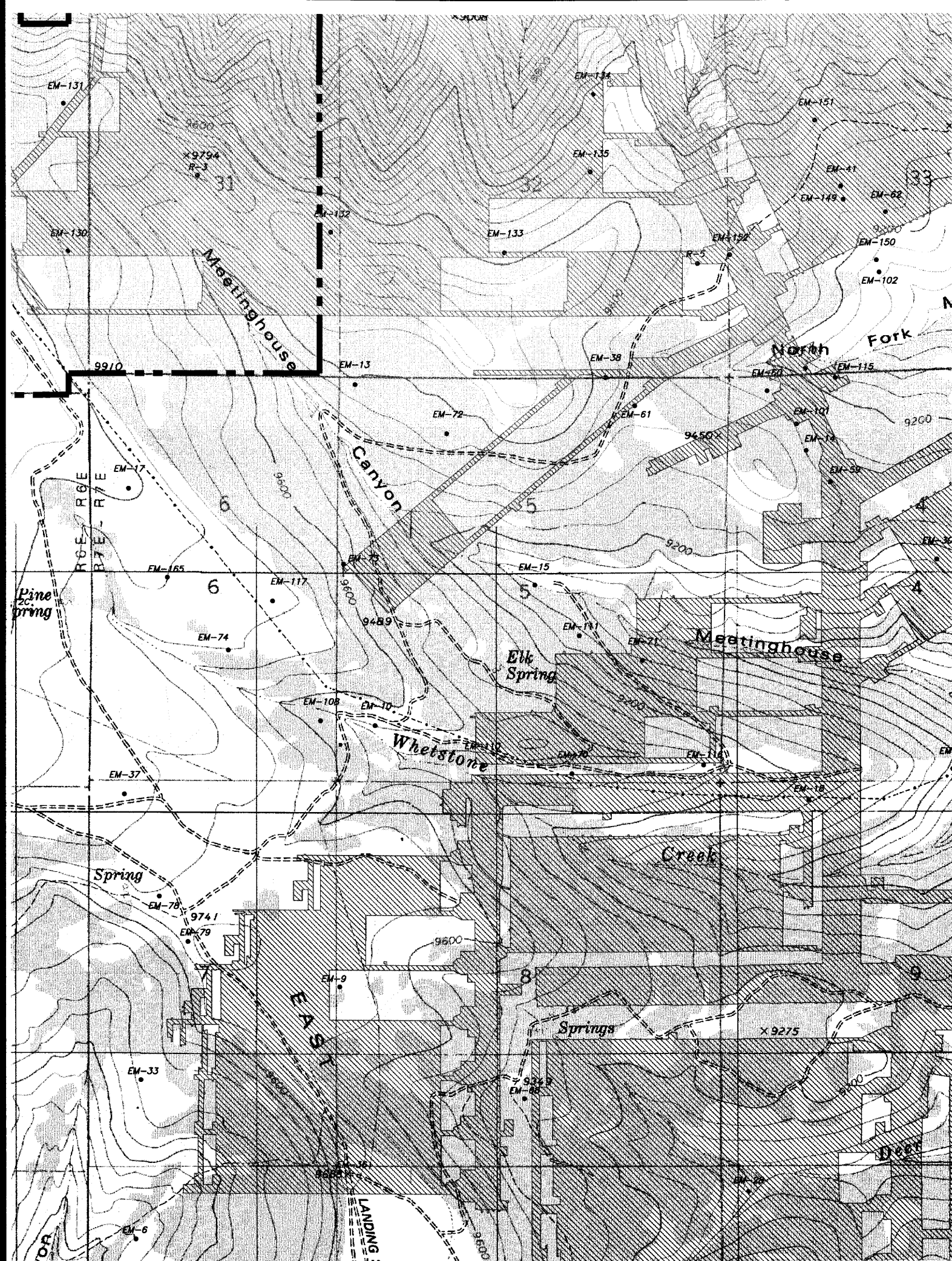
This is a follow up to my letter of April 18, 2008 objecting to the issuance of a permit for mining coal near Alton, Utah, Application C/025/0005.

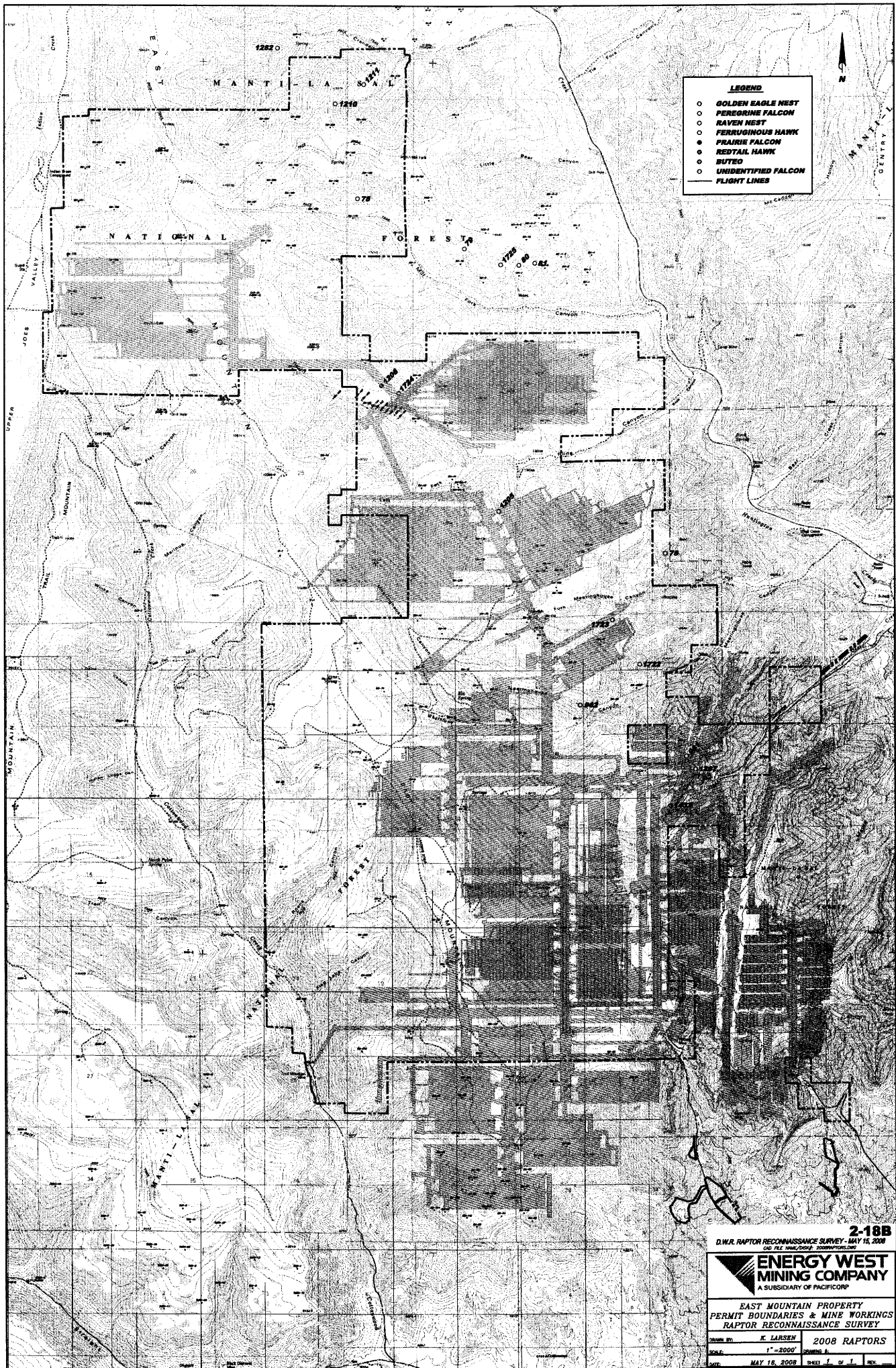
Upon further review it was determined that there are no plans to construct a visibility monitoring network to document loss of visibility in the nearby areas and that the Application does not include any plan to compensate for visibility loss such as the reduction of particulates in the effected areas.

There is also the issue of considering this matter while there is a pending potential large coal mining operation proposed on nearby BLM owned property. It would be scientifically inappropriate to approve this application separate from consideration of the proposed mining on BLM property.

Sincerely,

Erich Bretthauer
President
Bryce Meadows Development Corporation





LEGEND

- GOLDEN EAGLE NEST
- PEREGRINE FALCON
- RAVEN NEST
- FERRUGINOUS HAWK
- PRAIRIE FALCON
- REDTAIL HAWK
- BUTEO
- UNIDENTIFIED FALCON
- FLIGHT LINES

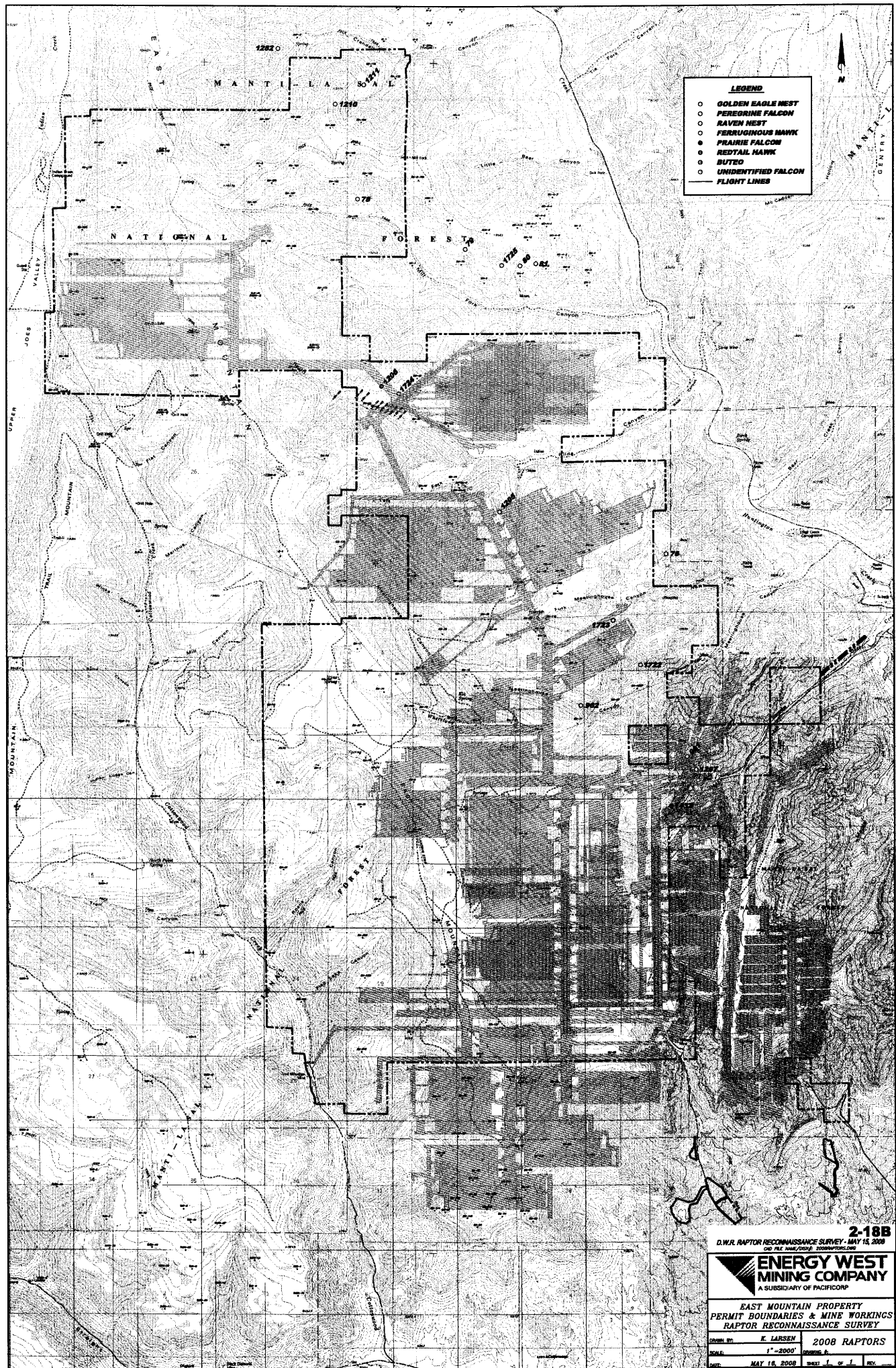
2-18B
D.W.R. RAPTOR RECONNAISSANCE SURVEY - MAY 15, 2008
D.W.R. RAPTOR RECONNAISSANCE SURVEY - MAY 15, 2008

ENERGY WEST MINING COMPANY
A SUBSIDIARY OF PACIFICORP

**EAST MOUNTAIN PROPERTY
PERMIT BOUNDARIES & MINE WORKINGS
RAPTOR RECONNAISSANCE SURVEY**

DRAWN BY: K. LARSEN
SCALE: 1" = 2000'
DATE: MAY 15, 2008

2008 RAPTORS
SHEET 1 OF 1



- LEGEND**
- GOLDEN EAGLE NEST
 - PEREGRINE FALCON
 - RAVEN NEST
 - FERRUGINOUS HAWK
 - PRAIRIE FALCON
 - REDTAIL HAWK
 - BUTEO
 - UNIDENTIFIED FALCON
 - FLIGHT LINES

2-18B
D.W.R. RAPTOR RECONNAISSANCE SURVEY - MAY 15, 2008
DOW METALS CORP. / PACIFICORP

ENERGY WEST MINING COMPANY
A SUBSIDIARY OF PACIFICORP

**EAST MOUNTAIN PROPERTY
PERMIT BOUNDARIES & MINE WORKINGS
RAPTOR RECONNAISSANCE SURVEY**

DRWN BY	E. LARSEN	2008 RAPTORS
SCALE	1" = 2000'	DATE
MAY 16, 2008		REV.